



AGENDA
RIO DELL CITY COUNCIL
REGULAR MEETING – 6:30 P.M.
TUESDAY, AUGUST 19, 2014
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

WELCOME . . . By your presence in the City Council Chambers, you are participating in the process of representative government. Copies of this agenda, staff reports and other material available to the City Council are available at the City Clerk's office in City Hall, 675 Wildwood Avenue. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

THE TYPE OF COUNCIL BUSINESS IS IDENTIFIED IMMEDIATELY AFTER EACH TITLE IN BOLD CAPITAL LETTERS

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. PLEDGE OF ALLEGIANCE**
- D. CEREMONIAL MATTERS**
- E. PUBLIC PRESENTATIONS**

This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. As such, a dialogue with the Council or staff is not intended. Items requiring Council action not listed on this agenda may be placed on the next regular agenda for consideration if the Council directs, unless a finding is made by at least 2/3rds of the Councilmembers present that the item came up after the agenda was posted and is of an urgency nature requiring immediate action. Please limit comments to a maximum of 3 minutes.

F. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Council members if there is anyone who wishes to address any matter on the Consent Calendar. The matters removed from the Consent Calendar will be considered individually in the next section, "SPECIAL CALL ITEMS".

- 1) 2014/0819.01 - Approve Minutes of the June 17, 2014 Regular Meeting (**ACTION**) 1
- 3) 2014/0819.02 - Approve Minutes of the June 24, 2014 Special Meeting (**ACTION**) 25
- 3) 2014/0819.03 - Approve Minutes of the July 1, 2014 Regular Meeting (**ACTION**) 34
- 4) 2014/0819.04 - Authorize the Finance Director to Sign and Resubmit the City's Annual TDA Claim (**ACTION**) 42

G. SPECIAL PRESENTATIONS

- 1) 2014/0819.05 - Presentation on the Labor Market by Dennis Mullins, Employment Development (EDD) (**RECEIVE & FILE**) 49

H. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) "SPECIAL CALL ITEMS" from Consent Calendar
- 2) 2014/0819.06 - Approve Finance Department Staff Extension of Senior Fiscal Assistant from October 1, 2014 - January 31, 2014 (**ACTION**) 50
- 3) 2014/0819.07 - Approve Transfer of FY 2013-2014 Water Debt Service Fund (61) to Water Capital Fund (62) (**ACTION**) 52
- 4) 2014/0819.08 - Provide Staff Direction on Adoption of Resolution in Support of North Coast Integrated Regional Water Management Plan (**ACTION**) 61

I. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- 1) 2014/0819.09 - Adopt Ordinance No. 324-2014 Amending Fence Regulations, Section 17.30.090 of the Rio Dell Municipal Code (RDMC) (**ACTION**) 62
- 3) 2014/0819.10 - Adopt Ordinance No. 325-2014 Amending Chapter 17.30 of the Rio Dell Municipal Code (RDMC) to Renummer the General Provisions and Exceptions to Accommodate Recent Amendments (**ACTION**) 68

J. REPORTS/STAFF COMMUNICATIONS

- 1. City Manager
- 2. Chief of Police
- 3. Finance Director - Check Register for July, 2014
- 4. Community Development Director - Avenue of the Sculptures Report

K. COUNCIL REPORTS/COMMUNICATIONS

L. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS
FOLLOWS: **No Closed Session Items Scheduled**

M. ADJOURNMENT

*The next regular meeting will be on September 2, 2014
at 6:30 p.m. in City Hall Council Chambers*

**RIO DELL CITY COUNCIL
REGULAR MEETING
JUNE 17, 2014
MINUTES**

The regular meeting of the Rio Dell City Council was called to order at 6:30 p.m. by Mayor Thompson.

ROLL CALL: Present: Mayor Thompson, Councilmembers Johnson, Marks, Wilson, and Woodall

Others Present: City Manager Stretch, Chief of Police Hill, Finance Director Woodcox, Community Development Director Caldwell, Water/Roadways Superintendent Jensen, Wastewater Superintendent Chicora and City Clerk Dunham

PUBLIC PRESENTATIONS

Adam Dias asked if the matter concerning water/sewer billings for the fire department would be discussed during the item on the agenda related to adoption of the budget.

Virginia Connolly asked the council to make it clear to the audience when they will be allowed to speak on the matter.

Mayor Thompson suggested for the benefit of the public, that the discussion on the budget be moved to this portion of the agenda.

Motion was made by Wilson/Woodall to move Item 2014/0617.12 – *Approval of Resolution No. 1225-2014 Adopting the 2014-2015 Fiscal Year Budget* to the first matter of business to allow the public the opportunity to address the council at this time. Motion carried 5-0.

City Manager Stretch provided a staff report and said a couple of study sessions were held related to the Fiscal Year 2014-2015 Budget and for this evening's agenda, staff prepared the adoption resolution and a list of final budget adjustments for approval. He said staff suspects there may be some changes so the council may need to come back on June 24th for a special meeting for the final budget adoption.

He reported the budget this year represents a very trim \$3.2 million budget with no adjustments for salaries or employee benefits and is austere because of an imbalance in the general fund after adjusting indirect charges between various funds related to water and wastewater projects. He said with completion of projects, they are no longer taking as much time from the finance department or city manager department. He said the adjustments resulted in moving more costs to the general fund which created a shortfall for the fund. He stated the city council directed staff to put together a tight budget with \$131,000 being pulled from reserves and to move forward with the preparation of a revenue measure to be placed on the November ballot.

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City Manager Stretch continued with review of the proposed budget adjustments as identified in Resolution No. 1225-2014 as Attachment A. A total of eight budget adjustments were presented; the last adjustment being a reduction of finance department expenditures by \$65,199 for the elimination of the Accountant I position. He noted that additional personnel costs were allocated in the finance department when there were projects going on but since the extra staff is no longer needed, the Accountant I position was eliminated. He indicated that the employee in that position, assumed her former position of Fiscal Assistant II and the Fiscal Assistant II currently holding that position was terminated. He also reported that the community development director offered to reduce his work schedule to 4 days/week which reduced the budget by \$18,215; \$12,737 for the general fund and \$5,478 for the building fund.

Moving on to the water and sewer funds, City Manager Stretch explained that all of the adjustments between these two funds are the result of litigation occurring in the city of Davis related to the city not charging themselves internally or other public agencies for water and wastewater. He said they used the same consultant as Rio Dell used for the Wastewater Rate Study, Bartle Wells Associates, and the consultant contacted the city to advise staff of the recent court action stating that the city of Davis did not contest the action because they had no defense. He said it is clear under Prop 218 that rates have to be proportional which is the basis for the action in Davis. The consultant's suggestion was that the city take light of the that decision; and staff has done so by figuring out what internal costs are going to be in order to pay for water and sewer since city hall has not paid for those services. He said likewise, the fire department or the library have also not paid.

In addition, when the water department back-flushes filters, it takes an enormous amount of water which doesn't just go out onto the ground, but into the wastewater system. He explained under this directive the wastewater system has to charge the water system \$43,000/yr. which is why this is being added into the budget now because this is no minor expense that can be taken care of mid-year. Likewise, the wastewater system uses water from the plant which is approximately \$33,600/yr.

Councilmember Wilson said since the water fund is basically paying the sewer fund and vice-versa, isn't it just a matter of moving money between funds.

City Manager Stretch explained that it ends up being a cost to one fund and that cost is worked into the rate structure so the community is picking up that expense through the rates.

Councilmember Wilson said that it is simply the cost of doing business and in order to make a water plant or sewer plant function you have costs associated with it so that's essentially what you're doing. He said you can call it anything you want but the money just moves between the funds so the money is still there.

Mayor Thompson reviewed some ground rules for public comment on the issue and said the city council understands the public's concerns regarding charging the fire department for water and

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sewer but wanted to make it clear that the city council will not break the law. He said the city of Davis was sued for not charging public agencies and lost; as a result of that it will be coming down the line to other cities. He asked that the public hold their comments until staff has the opportunity to complete the report so the audience has a better understanding of what is going on.

City Manager Stretch continued and explained that the fire department and the library are the only other public agencies that are not being charged for water and sewer. He made it clear that the public works department will be paying for water to irrigate the center median on Wildwood Ave. and so is city hall for water used throughout the building and grounds; he said the same goes on the sewer side.

He further explained that the early numbers that came out for the fire department appeared that the bill would be between \$450 - \$500/mo. for water and sewer. He said that he didn't have a chance to talk to the fire chief after emailing him that this was coming down, but if he had they probably could have worked out the details and avoided this becoming such a big issue. He said it wasn't until late today that the water superintendent determined that the size of the water meter at the fire hall was identified in the billing system as a ¾" meter but is actually a 2" meter. What that means is that when you look at the consumption of 196 units it is actually 19.6 units because when you go from a ¾" inch meter to a 2" meter, you have to move the decimal to the left. As such, the correct estimate for the year is estimated at \$1,500 as opposed to over \$5,000.

Councilmember Wilson stated that as an admonition to our staff, some of the emotion and turmoil created here tonight could have been very well avoided by two things: 1) having had a discussion with the fire chief and possibly the fire commissioners; and 2) staff doing their homework before putting it in the budget which is an important part of the budget process.

City Manager Stretch said he attempted to have a dialog with the fire chief but no one got back to him. He stated that he sent him an email and indicated what the city was facing but never heard back. He commented that the fire chief did a very good job getting to all of the radio stations and everybody but the city.

Councilmember Wilson said the first time the city council heard anything about this was at the June 10th meeting and asked if the fire chief was made aware that this was going to be in the final budget.

City Manager Stretch stated that he told him that it was going to happen and as soon as he knew more, he would get back to him.

City Manager Stretch continued with review of the final budget adjustments and said there are adjustments in the budget for the fire department, the library and all of the city's own funds which will cost the general fund approximately \$3,500; that's why they had to be included in the final budget adjustments.

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City Manager Stretch said the last adjustment, as discussed was between the building and planning departments.

Councilmember Marks stated that she did call the city of Fortuna and found out that they do meter the water usage at their fire department but do not charge.

Motion was made by Councilmember Marks to continue to monitor the meter reading at the fire department but not charge at this time. Councilmember Wilson seconded the motion and amended it to add that in the event the California or Federal regulations require that the fire department be charged that the city covers those costs from the general fund.

Mayor Thompson called for discussion on the motion and said he would have preferred to have the city attorney present at this meeting but he was not available.

City Manager Stretch stated the advice from the city attorney was that the city council pay attention to what the Supreme Court is saying and that charges be established because if they aren't, it is clear that the city will be sued which will result in defense costs. He said that is the attorney's legal advice and that the city council can take it or not; it's really the council's call.

Councilmember Marks pointed out that the original estimate was in error and apologized for that but said the fire department is still using almost 20 units of water each month which is equal to 14,000 gallons for basically just the kitchen in the fire hall and bathrooms which is a lot of water.

Water Superintendent Jensen said as he understands it, the 2' meter serves the fire hall, the new bathrooms and any water facets outside; not the fire hydrant which is on the 6" main and not being metered.

Councilmember Marks asked for confirmation that the fire trucks are filled from the hydrant rather than through a garden hose.

Fire Chief Wilson responded that they fill their trucks and fire engines from the hydrants. He agreed that 20 units is a lot of water but pointed out that much of the use is for the public restrooms which they do not charge the public to use. He said this includes the clean-up and hosing out of the restrooms due to the misuse of the restrooms on a daily basis.

City Manager Stretch stated for clarification that the estimate established for the fire department does not include water for fighting fires or filling the trucks. He said this is water used for the building and restrooms and it has never been suggested that the city charge for water used for fighting fires.

Mayor Thompson questioned whether the city of Fortuna is aware of the Davis lawsuit and because Rio Dell is aware of it, needs to be very careful so as not to be sued. He said the

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council understands the fire department's point of view but the city council is going to do what the law requires and is not going to ignore a court ruling.

Fire Chief Wilson asked why the city of Rio Dell is the very first city in the state of California, aside from Davis to innovate into this and be worried about litigation in Davis.

Mayor Thompson stated as everyone is aware, the city contracted with Bartle Well Associates to do a Prop 218 Wastewater Rate Study and it just happens that they also did a rate study for the city of Davis. As part of that study, the city of Davis was sued for not charging public entities for water and sewer and lost so the consultant at Bartle Wells contacted the city to alert us of the recent court decision. He said if it weren't for the city going through the Prop 218 process, we probably would not know about the lawsuit.

Fire Chief Wilson stated that the city can blanket it anyway they want and pull the curtain over the claim that the city is going to charge the various departments internally but it's all a shell game of money moving it from one account to another which is tax payer dollars. He said another point is that the city is going to charge tax revenue organization money that will in turn cause them to raise their rates to taxpayers so the tax payers are not only being charged once by the city but for the water used again by the fire department. He asked where this is going to end when one tax entity charges another tax entity it just jockeys back and forth because what it will do is force the fire department to charge the city for fire protection. He said the city has never paid for fire protection and the fire department protects the city every day and night.

Councilmember Wilson asked if the city, as a public entity can pay for fire protection out of the city's general fund and proposed an amendment to the motion to say that in the event the state of California or federal regulations requires the fire department to be charged for the use of water and/or sewer service, then the city shall cover those costs from the city's general fund in the amount equal to the required costs.

He said essentially if the city wants to be legal, then charge the fire department and in turn have the city step up and cover that cost out of the general fund, paid for by the citizens of Rio Dell. He said that way, the law is satisfied and the tax payers pay the bill just like anything else.

Mayor Thompson commented that he sees Councilmember Wilson's point but without legal counsel present recommends the council continue through the budget process and at least have legal counsel here to make sure any decision made is legal. He suggested staff make arrangements to have the city attorney present at the meeting on June 24th before a decision is made. He said if he calls for a vote, he is certain it would pass but asked if the citizens are willing to take the chance of the city being sued and if they are willing to pick up the tab.

Councilmember Johnson stated that it is not uncommon for cities to include in their budgets, donations to their fire departments for fire protection as well as donations to libraries.

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Councilmember Woodall said she would like to hear what everyone has to say but is reluctant to vote on this issue without legal counsel present.

Councilmember Wilson suggested again that the motion include language to say that if the state rules that the city must charge the fire department for water and/or sewer services then the city will pay for those costs from the general fund, provided it is legal to do so in the state of California.

Councilmember Marks suggested another line item be included in the budget for donations to the fire department.

Councilmember Wilson said he would agree as long as it gets done tonight. He said some of the problems the city is facing is because the council moves in a very lively but very sporadic, reactive nature. He said there have been other problems in the past where the city council made decisions, many of which have been reactive actions and have reaped the effects of that later. He said had the city followed and done it correctly, we wouldn't be in the situation we are in now. He commented that he doesn't particularly care for these situations or losing sleep over it. He said it is not necessary or necessary for the turmoil caused to these gentlemen here tonight (and ladies). He added that they all have had to come down here and put in time at a meeting like this and it is just not right. He went on to say that he will do what the city council decides to do but wants to see it resolved so the people here have peace of mind. If the matter is continued to the meeting on the 24th with legal counsel fine, but there needs to be an action tonight so everyone understands the city is not just going to shuffle this off.

Adam Dias addressed the council and stated that the Rio Dell-Scotia Chamber of Commerce took it upon itself to call the city of Davis and they said that they have never charged their fire department for water or sewer, they are not part of the lawsuit and they have no intention of charging the fire department. He said he is unclear whether the city actually made a phone call to Davis to question them about this situation so making a motion right now might be premature when a phone call could possibly determine whether these actions are necessary.

Mayor Thompson said he would like to see the public hearing continued, knowing that the city council is in complete agreement with the fire department's position that they not be charged for water and sewer services.

Fire Chief Wilson interjected that the council only wants to defer the decision so there aren't a group of people present to contest the decision. He went on to say that the fire department is the sole source within the city offering public recreation and community events and that they have gone over and beyond what most small volunteer fire department's do. He said with that being said, this water bill discussion is not the first time it has been mentioned and actually came up during a direct conversation with the water superintendent in the past. He claimed the fire department has been a target of the city for the last couple of years and that the city has

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attempted to place bricks and walls between the city and the fire department, especially since the termination of Jim Hale (former public works director). He said during last year's Wildwood Days event, the city manager told them they would have to sign an agreement if they wanted to use any of the city's equipment for the event and said they did not sign any such agreement and put the event on without the help of the city, except for assistance by the police department. He commented that the email from the city manager said metered water usage would not include water for fire trucks but then said that the fire hydrant would need to be metered which inclined him to believe that it would eventually be billed. He stated that he replied to the email that afternoon that he would advise the fire commissioners at that evening's board meeting and get back to him. He said that in less than 8 hours' time they were told that the city would be charging the fire department an enormous amount for water which he said is completely unnecessary and is the result of the lack of communication between the city and the fire department.

He went on to say that he doesn't know what they as a volunteer fire department have done to the city manager to create such animosity but whatever the reason intends to ask for his resignation. He said he feels that Mr. Stretch should not be involved in the city's budget process over the next few weeks because there are many things that need to be straightened out. He stated that the public needs to get involved and that they will be watching staff very closely because of wasting tax payer's money and anything else they can think of because they have been provoked. He said if he has to put every volunteer he has to monitor city hall and public works staff he will. He mentioned that over the past 15 years, public works staff has grown by 3 people when the city has hardly grown. He said there are more swivel chairs in city hall than there ever has been and questioned what has created the extra work.

Mayor Thompson responded that there was actually a reduction in city staff approximately 3 years ago.

Jim Barsanti, a Rio Dell fire commissioner stated that the fire department is required to operate under a budget just like the city is and if they are charged \$1,500 a month for water, he can guarantee at the end of the year they will be forced to close their doors. He said the question is whether the city wants a volunteer fire department or not.

Councilmember Marks clarified that the estimated expense was \$1,500 a year; not month.

Garey Barsanti commented that the only thing that means anything in this city is the fire department.

Andrew Gonzales addressed the council and said he has lived in Rio Dell for 7 years, works as a paid fire fighter, is a volunteer fireman for the Rio Dell Fire Department, served as a volunteer on the Rio Dell Planning Commission, sometimes works 72 hours a week and has 3 kids and took 18 hours off work to be here tonight. He said he understands that times are tough, budgets are small and there are expectations from the public that the city council is responsible for and

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although he has not had much time to reflect on this issue feels there must be a way to work it out so the fire department does not incur the extra expense of having to pay for water. He said he has been to most of the people's homes in the room tonight and said as much as the fireman get "likes" on *facebook* or get people to donate to one of their fund raisers he's not sure anyone really understands how tough it is to be a volunteer fireman and the sacrifices their families have to make. He said all he is asking is for the city council to take into consideration that while the city operates on a budget of \$2.3 million, the Rio Dell Fire Protection District operates on a budget of \$80,000 and has to supply all of the equipment necessary to be able to go into homes and rescue people and protect their belongings. He noted that he personally goes into businesses and inspects the buildings to insure that the people who go into those businesses, and pay taxes to the city, are safe in the event of a fire. He added that he realizes that people are passionate and that it may seem to the city that the amount of money to cover the water bill is a small amount and if he could he would pay it out of his own pocket but thinks that while the city council thinks they understand they don't really know what is at stake. He commented that he understands the city is looking for grant money and is under a microscope but questioned what other things the city could get sued for. He said that there must be somewhere else to find the money besides going after the fire department and said between volunteering for the fire department, and working an enormous amount of hours traveling all over to put out fires to keep people safe, maybe he could find some time somewhere to volunteer his time to put together a fund raiser for the city to cover the expense for water used at the fire hall.

Mayor Thompson pointed out that every member of the council is a non-paid volunteer and in addition to attending city council meetings and doing research and studying various subjects also represent the city on various other boards which sometimes go on to all hours of the night.

Virginia Connolly shouted out that she owns 2 rentals in the city and the poor people with 1 bedroom/1 bathroom homes get charged the same for water as the rich people on the hill with 4 bathrooms and accused the city of turning water off to the poor.

Mayor Thompson asked the city clerk to read the motion before calling for a vote.

City Clerk Dunham stated a motion was made by Councilmember Marks to continue to monitor the meter reading at the fire department but not charge. Councilmember Wilson seconded the motion as amended to say that in the event the California or federal regulations require that the fire department be charged, that the city cover the cost from the city's general fund.

City Manager Stretch asked for clarification if the motion would also include "or decision by the Superior Court." Councilmember's concurred that it would.

Councilmember Marks asked if the motion is not correct if it can be amended at the next meeting.

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City Manager Stretch explained the maker and the second of the motion would have to agree to reconsideration of the motion.

Mayor Thompson questioned the possibility of the council approving the motion and the city attorney determining it is illegal for the city to pay for the fire department's water; the statement was not well received by the audience.

Councilmember Wilson stated that one way or another the city council is going to solve the problem and make it right.

Fire Chief Wilson stated that the last thing the fire department wants is to break any laws or break any rules and if the fire department needs to pay their fair share for water, whatever that might be, and that's the city council's decision, then they will accept that decision. He said his opinion is that if there is no litigation pending at this time, why is the action being taken now. He added that they are trying to build the community and want to have a good relationship with the city and the staff and want things to be moving in the same direction but that is not the case. He said everyone needs to join together as a community and if the city is ever going to change everyone is going to have to be on the same team or the city will continue to regress.

Councilmember Woodall stated that she is in support of the motion on the floor but if the council passes it tonight without consulting with legal counsel then she feels the council is only passing it to pacify the citizens here tonight.

Councilmember Marks clarified that she was only asking what the process is to modify a motion after it is passed should it be necessary.

City Manager Stretch stated that he believes the motion is clear and that there's not any such thing as a wrong motion. He explained that if the motion is passed and at the next meeting the city attorney advises otherwise, the council can either ask for reconsideration of the motion or not. He said his job is to report the facts to the council and stated there is existing litigation and it is going to come to a conclusion. He said the city of Davis is already bracing for it because they are installing meters so they can charge public agencies for water.

Councilmember Johnson stated that he is a little nervous about voting on this issue without legal counsel present and personally would like to see this continued to the next meeting because he values the city attorney's input into the motion. He added that he is actually confused about the motion because he cannot vote against what is State law.

City Manager Stretch further explained that Prop 218 is a proposition passed by the electorate and so this is an interpretation of the court as to what the intent is and a decision that will be made by a Superior court and as such is the law of the state unless it is appealed. He said the city attorney advised that it sends a very clear message that if you are a public agency and not following those practices then you are subject to being litigated and that it probably will happen.

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He said the attorney knows how it is coming down and has talked to Davis's legal counsel and his legal opinion is to follow the advice of their attorney and Bartle Wells Associates who specializes in these matters.

Jeremy Shaw asked that the Council not take action to charge the fire department for water because of fear.

Kathleen Kemp commented on the lack of communication between the city manager and the fire department as indicated by the former building official, Arnie Kemp in a letter to the city council.

Councilmember Marks withdrew the motion on the floor as amended and Councilmember Wilson withdrew the second.

Motion was then made by Marks/Wilson to continue to read the meter at the fire hall but not bill at this time. Motion carried 4-1 with Councilmember Johnson casting the dissenting vote.

City Manager Stretch stated he will try and arrange to have the city attorney present at the meeting on July 24th.

Mayor Thompson called for a brief recess at 7:42 p.m.

The meeting reconvened at 7:50 p.m.

Discussion continued on the budget beginning with review of the Budget Summary Worksheet by Department by Fund.

Kaye Peak asked if the replacement of the water line on Old Ranch Road was discussed.

City Manager Stretch referred to Item 6 on the 2014-2015 Final Budget Adjustments which included a \$10,000 expenditure to the capital projects budget under the water fund for repairs to the water line, and Item 7 adding \$10,000 in revenue to the water fund for reimbursement from Old Ranch Road customers for the same line replacement.

Kaye Peak asked if the \$10,000 was the actual cost for replacement of the line or an estimate.

Mayor Thompson stated that it was an estimate and reiterated that the cost was the responsibility of those customers served from the Old Ranch Road water line.

Councilmember Marks stated that she had a chance to walk Old Ranch Road twice and said she understood the 6 inch water line that reduces to a 2 inch located on the flat running from the hydrant to Old Ranch Road was going to be addressed with the water rate study since it is apparently leaking and over 60 years old.

City Manager Stretch explained the \$10,000 was included in the budget based on the assumption that the expenditure occurs in order to upgrade the water line for a number of users out of city limits and the presumption that those users will reimburse the city for those repairs. He further explained that as part of the water rate study proposal a subset rate will be included for those rate payers outside city limits under the terms of Prop 218.

Water Superintendent Jensen stated that basically Phase I will include replacement of the line above ground on Old Ranch Road because it is easier to get to; after that is complete, Phase 2 will potentially include replacement of the line on the flat from the hydrant to Old Ranch Road. He indicated that roughly 38 services are on that same pressure zone which is the Dinsmore tank; the Monument Association is 1 group of 7 users and the remaining 31 are those users on above the Dinsmore flat and back down Monument Road. He explained the 38 services on the Dinsmore tank are a totally separate pressure zone than services coming from the Douglas and Painter Street tanks.

Kaye Peak commented that she would be happy to be part of the complete Monument area users instead of being isolated as a group of 7. She said it has been distressing to have several different options thrown at them related to upgrade of the line on Old Ranch Road including the issues with easements and she is present to see if the council is voting on anything that obligates them with regard to the repairs.

Mayor Thompson explained that the city council will be voting on approval of the overall budget which includes \$10,000 payable by those customers out-of-city limits pointing out that the in-city rate payers are not responsible for the repairs to the water line serving out-of-city users. He said as part of the Prop 218 Water Rate Study that will be occurring in the months to come, that area will be addressed and voted on but the exact amount is unknown.

Kaye Peak asked if she was correct to say that the \$10,000 obligation does not fall on their shoulders until further discussion by the council. The response was that she was correct.

City Manager Stretch explained under California law the city must have appropriations which are a dedicated sum of money for specific purposes so you have a number of expenditures with offsetting revenue that may come from gas tax funds, sales tax, property taxes or any source legal for a city to have in order to balance the budget. He said in this particular case, assuming that there is a \$10,000 expenditure, the assumption is that the city will be reimbursed for repair of the line because if not, the citizens would be bearing the cost. He said the issue here is to approve the budget not the \$10,000 needed to effectuate the repairs.

Councilmember Marks referred to the staffing plan with regard to the community development director budgeted at 80% and said she is not asking to change his agreement to increase his hours but recommended his position be budgeted at 100% in case the situation changes after the November election and it is necessary to go back to 100%.

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Councilmember Wilson stated he did not have a problem with allocating that position as full-time because there are still a lot of uncertainties regarding the proposed sales tax measure.

City Manager Stretch explained the discussion was that Kevin Caldwell has been very effective in updating the city's general plan, amending the codes and now he is training for his building official license. He said he is good at other things but he would like to have the time off and if he can still get the important planning matters done as well as assuming the responsibilities of the building official under the current work schedule then it seems to be a good fit.

The consensus of the council was that the community development director position remains in the budget staffed at 80%.

Councilmember Wilson questioned whether the building department will be fully funded with the additional revenue generated from administrative fees once the training is completed and the building program is done in-house.

City Manager Stretch said it will eventually get to that point and that it is a policy decision of the council on how the building program should proceed.

City Manager Stretch then explained that the resolution to adopt the budget was prepared to include the proposed recommendations, suggestions and corrections as previously discussed however; if the council wishes to made changes, the revisions will need to be made and the resolution brought back to the council for approval on June 24, 2014.

City Manager Stretch continued with review of the Budget Summary spreadsheet and drew the council's attention to the newly added contingency fund which was not part of the budget in the past. He explained the purpose of having a contingency fund is so if something comes up that is not anticipated, funds can be pulled from the contingency fund rather than pulling from reserves which requires adoption of a resolution, holding a public hearing, and increasing expenditures and revenues because the reserve is not appropriated in the budget. Staff's suggestion is that a 5% contingency fund be established in the general fund so when there is an unanticipated need that occurs, the money is pulled from contingency fund which only requires 4/5ths vote of the council. He stated for clarification that the contingency fund is appropriated, just not for any particular purpose. He said the same 5% contingency was established for streets, sewer, water, recycling and the spay & neuter fund. He said this provides a lot more flexibility and makes it a lot easier to access funds when necessary.

City Manager Stretch stated that the finance department developed a form that will come to the city council anytime there is a transfer from the contingency fund which lays out the transaction.

Councilmember Wilson commented that it is basically the same thing as a journal entry but the form is one of the things requested by the council in order to have a better paper trail of budget transfers.

City Manager Stretch stated that this is the reason for creating the form and said his experience in the past is that the finance director had aggregated these adjustments to the end of the year so he was never really comfortable with the balances in the various funds. He said there should always be a transfer form that is tracked so the transfers show up on the books the next day reflecting the correct balances.

He stated that staff will be bringing a resolution before the city council at the next meeting that sets forth the policy.

Continuing on with review of the budget spreadsheet, City Manager Stretch referred to general fund expenditures of \$889,000 and said with revenues projected at \$772,000, money from reserves will need to be pulled to make up the difference to balance the fund. He also noted that the difference between the projected revenue and projected expenditures in the building department was reported at \$28,200 which is the cost coming from the general fund to fund this year's program.

Staff then reported that there were a number of gas tax funds that were idle for a number of years so they were gathered and put into one fund which is the reason for the larger beginning fund balance of \$226,000. He said with total projected revenue of \$90,000 and expenditures of \$206,000 it is obvious that this year's street funds of \$109,500 are not going to go very far. He said this is one of the reasons the council has been discussing placing a special revenue measure on the November ballot because those funds can also be used for street fund activities as well as for law enforcement and for general public services.

City Manager Stretch stated that he had made a suggestion that if the special revenue measure passes, that the Lead position in the public works department be added back into the budget however; that is no longer the case because the city simply does not have the money.

Moving on to the water fund, it was reported that the water fund, as discussed on a number of occasions is totally underfunded thus pulling from reserves to balance the budget. City Manager Stretch explained that during the budget process it was discovered that a number of years ago, the city council adopted a policy whereas \$4.50 from each water bill was to be put into the water capital fund however; for the past several years it was going into the water operations. As such, \$77,000 was transferred from water operations to water capital which is why the water operations fund is short. He commented that the water system is in need of major repairs and later in the year Bartle Wells Associates will be conducting a Water Rate Study because rates must be adjusted in order to maintain the system.

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A public hearing was opened to receive public comment on the proposed 2014-2015 budget.

Adam Dias addressed the council about the shortfalls in this year's budget and said last year staff was hailing that the city was doing better financially than most other cities and questioned the difference between last year and this year. He pointed out that the city is basically a sinking ship and juggling water and sewer rates will have a crumbling effect. He said he was in support of a local sales tax measure and feels the public would support it. He questioned why staff is not currently looking for investors to put in another gas station or motel and said the city must have a strategic plan for economic development because the council can't continue to rely on its residents to pick up the tab.

In response to the comments, Mayor Thompson said no doubt part of the problem the city is facing is because of the lack of economic development however; things are being done to try and turn that around. He said another problem is the consistent turn-over of city manager's and other management staff. He agreed that it is prudent to implement a strategic plan to hold the city from continuing down that path. He commented that the city has basically been playing catch-up for the last 5-10 years because actions were not taken that should have been that the city has spent approximately \$32 million in infrastructure improvements alone which is enormous.

Carol Theuriet stated that she is very interested in knowing why the city does not go after grants that are so available out there and said she hopes the new city manager has experience in writing grants or he/she will be worthless to the city. She made the statement "if you have grants, you have streets."

City Manager Stretch reported that the city was successful this year in securing a \$100,000 grant for a drainage study of the Belleview/Ogle area and is in line for a \$783,000 grant for an emergency water intertie between the city of Rio Dell and Scotia. He also commented that grants for street improvement projects are pretty dried up and he too hopes the new city manager has a magic bullet and can secure additional grant funding for the city.

There being no further public comment, the public hearing closed.

The public hearing was continued to the June 24, 2014 special meeting.

City Manager Stretch stated he will prepare a resolution that includes all of the final budget adjustments and a resolution that does not include revenue from the fire department to the water and sewer departments and bring them back to the council for consideration on June 24, 2014.

CONSENT CALENDAR

Councilmember Wilson asked that Item No. 3 related to employee contract extensions be removed from the consent calendar for separate discussion.

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Motion was made by Woodall/Marks to approve the consent calendar including the approval of minutes of the May 20, 2014 regular meeting; approval of minutes of the June 3, 2014 regular meeting; approval of Resolution No. 1224-2014 accepting the deed from the County of Humboldt vacating and conveying a portion of Metropolitan Road to the city and authorizing the City Manager to execute the Certificate of Acceptance; approval of a 1 year Memorandum of Understanding (MOU) with Eel River Disposal & Resource Recovery for a Green Waste Recycling Program and authorizing the City Manager to execute the agreement; and approval of Resolution No. 1226-2014 adopting the Gann Appropriations Limit for FY 2014-2015. Motion carried 5-0.

SPECIAL CALL ITEMS
(From Consent Calendar)

Approve 1 year contract extensions with Rio Dell Employees' Association, Rio Dell Police Officers Association, City Clerk, Police Chief, Community Development Director, Water/Roadways Superintendent and Wastewater Superintendent from July 1, 2014 through June 30, 2015

Councilmember Wilson referred to the employment agreement for the community development director and asked if it would be amended to reflect .08 time as opposed to a full-time position, and if there is a provision in place that allows the option to change the time back to full-time should it become necessary.

City Manager Stretch stated the agreement will need to be amended and brought back to the council for approval and explained the city council controls the budget and personnel allocations and as long as it is mutually agreeable between the city council and the employee, the agreement can be amended to go back to a full-time position.

Councilmember Johnson pointed out that the agreement could be amended to go back to a full time position if necessary with funding from the 5% contingency.

City Manager Stretch agreed and said there are savings in the contingency fund as a result of the community development director reducing his hours to 80% so if the council wants to amend the budget to reflect 100% of his salary it can easily be done.

Motion was made by Wilson/Johnson to approve 1-year contract extensions with Rio Dell Employees' Association, Rio Dell Police Officers Association, City Clerk, Community Development Director, Water/Roadways Superintendent and Wastewater Superintendent. Motion carried 5-0.

SPECIAL CALL ITEMS

Approve Lease/Purchase Agreement for DocStar Document Management System

City Manager Stretch provided a staff report and said the city council has discussed the concept of implementing a document management system in the office for a couple of years. Staff has researched the various systems used by other agencies and is recommending the DocStar System that is currently being used by the police department. He said currently records are stored off-site and staff is often burdened with retrieval of files. He said initially, the system will be utilized by the city clerk and once the system is set up with current files, staff will step into inputting all of the important old files so eventually most everything will be stored electronically. He stated that the purpose of the 60 month lease at \$193.00/mo. is to facilitate the process.

Councilmember Johnson questioned the time involved to input the documents.

City Clerk Dunham explained the plan is to have a starting point for inputting current information and as time allows, staff will input older documents.

Councilmember Marks stated that when the council initially discussed the idea of an electronic filing system, there were some concerns related to how the system was to be set up so files could be easily accessed by anyone.

City Clerk Dunham explained the system can be set up anyway we want and typically documents can be retrieved multiple ways.

She commented that related to audits, files scanned into DocStar are accepted as original documents.

Chief of Police Hill interjected that the system essentially works like a file folder and is set up so files can be retrieved under various criteria such as date, subject, author or recipient which makes it very easy and user friendly. He said his department has never been in a situation where they haven't been able to find a document because it can literally be set up to find a document as many ways as you want. As an example, city council packets can be searched by a single word or phrase. He said their police reports all go into DocStar and never have to be printed. He commented that DocStar will actually redact information that should not be released and tracks those changes. He noted that with implementation of DocStar in the police department they have reduced paper consumption significantly and emptied and eliminated several file cabinets. He added that the system is backed up daily and a backup tape is taken off site every day.

Councilmember Johnson asked if there are other agencies that use DocStar or similar electronic filing systems.

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City Clerk Dunham stated that she sent out inquiries to city clerks throughout the state and learned that most other cities do have electronic filing systems. She said many of them use Laserfish but the systems basically work the same way. She said from the references provided by Coastal Business Systems (CBS), there are several local businesses and public agencies that use DocStar.

Motion was made by Woodall/Johnson to approve the lease/purchase agreement for the DocStar Document Management System. Motion carried 5-0.

Approve Award of Bid for CDBG Ogle/Belleview Drainage Study

City Manager Stretch asked that this item be continued to the June 24, 2014 special meeting as staff was still gathering information.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Introduce and Conduct First Reading (by title only) and Adopt Ordinance No. 321-2014 and Resolution No. 1220-2014 Establishing Residential Multi-family Zoning Designation, Section 17.20.035 of the Rio Dell Municipal Code; a Zone Reclassification Redesignating Approximately 8.7 acres from Urban Residential (UR) to Residential Multi-Family; Redesignating the Downtown City Parking Lot from Town Center (TC) to Public Facility (PF); Establishing Emergency Shelters/Transitional Housing Regulations, Section 17.30.079 of the Rio Dell Municipal Code; and Amending Section 17.10 of the Rio Dell Municipal Code, Definitions to Include Emergency Shelters/Transitional Housing

Community Development Director Caldwell provided a staff report and said he had attended a workshop last year regarding the Housing Element update and learned that the city must have a minimum density of 15 units per acre for multi-family dwelling and currently the maximum density is 10 units per acre. Therefore, staff is recommending the establishment of a residential multi-family zone and general plan designation to meet the state requirement.

He stated the second recommendation is to re-designate approximately 9 acres from Urban Residential (UR) to Residential Multi-Family (RMF) which includes 6 parcels primarily on Rigby Ave. and Center St. He indicated that the majority of those parcels are already designated multi-family. He stated the other reclassification is the downtown parking lot parcel; re-designating it from Town Center (TC) to Public Facility (PF). He said to reflect those general plan amendments, Table 1.1 of the general plan will be amended and also 1.2 which identifies the various land use designations.

He said the next requirement is to amend definitions of the general plan to include emergency shelters and transitional housing; and lastly to establish emergency shelters

and transitional housing to principally permit the uses in Residential Multi-Family zones. He then reviewed the development standards that the city can impose on these uses and recommended they all be adopted.

A public hearing was opened to receive public input on this item. No public comment was received at this time

Community Development Director Caldwell then referred to a letter submitted by Dean Smither requesting that the parcel on the corner of Davis and Rigby (052-312-002) not be rezoned because it is already developed with (2) 4-plex apartment complexes and although it may help with compliance of the Housing Element, it does not address the shortage of rental units.

Staff explained that under the new proposed zoning the parcel could be developed with another 4-plex apartment complex however; the developer would have to comply with the current development standards.

Motion was made by Johnson/Marks to approve introduction of Ordinance No. 321-2014 and Resolution No. 1220-2014 and to continue the second reading (by title only) consideration, approval and adoption to the meeting of July 1, 2014. Motion carried 5-0.

Conduct Second Reading (by title only) and Adopt Ordinance No. 322-2014 Amending Rio Dell Municipal Code Section 13.10.130 noting when Wastewater Fees are due and Transferring Wastewater Fee Authority from RDMC to Resolution No. 1222-2014

City Manager Stretch provided a staff report and said as a follow up to city council's direction on May 20, 2014, staff prepared a resolution to implement the Wastewater Equity Rate Study and as the council will recall, they were ready to take action at that time but staff did not have the ordinance and resolution prepared so the ordinance is back for its first reading and introduction. He said the current wastewater rate is a fixed rate at \$76.16 and the new rates include 70% fixed charges and 30% variable and the ordinance also establish how the program will be administered.

City Manager Stretch reviewed a minor change to the proposed ordinance deleting the language concerning fees for new sewer connections and establishing them in Resolution 1222-2014 since it is much easier to amend a resolution should it be necessary. The second change provides that connection fees are payable when the building permit application is filed, prior to construction.

Councilmember Johnson referred to Chapter 13.10.370 with regard to fines for illegal discharge of sewer and asked if the minimum \$25.00 and maximum \$500.00 fine provision was carried over from the 1987 ordinance and if so if they are going to be revised.

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City Manager Stretch commented that the fines reflect current charges and are not suggested for update at this time. He said there was discussion whether to do a complete ordinance revision or to focus on the equity rate adjustment and the decision was made to focus on the rates.

Mayor Thompson pointed out that in several places throughout the ordinance it refers to "outside city limits" and since the city does not currently provide sewer service to any customers outside the city, suggested that Section 3. (b) under Chapter 13.10.230 be deleted and any similar language that refers to outside city services.

Mayor Thompson also asked if these changes will affect the Wastewater Rate Study.

City Manager Stretch stated that adoption of the proposed ordinance is the first step of the process and does not affect the results of the Wastewater Rate Study.

Mayor Thompson opened a public hearing to receive public comment on the proposed ordinance.

Kaye Peak asked if this is only going forward for new sewer connections.

Mayor Thompson stated that there are no sewer connections outside city limits so the language referring to outside city services does not need to be included in the ordinance. Also, any new proposed sewer connections to outside city residents would require approval by Lafco.

There being no further public comment, the public hearing closed.

City Manager Stretch recommended amendment to Section 3 to read: "In any case where customers are served by the Rio Dell sewer system, the customer shall pay rates as established by resolution." He said with maintaining that language, both (a) and (b) can be deleted.

Motion was made by Johnson/Marks to conduct first reading (by title only) of Ordinance No. 322-2014 amending Sewer Rates and Regulations, Section 13.10.130 of the Rio Dell Municipal Code (RDMC) noting when Wastewater Fees are due and transferring Wastewater Fee Authority from the RDMC to Resolution No. 1222-2014, as amended and continuing the public hearing to July 1, 2014 for its second reading and adoption. Motion carried 5-0.

Councilmember Woodall pointed out that the council's policy is that meetings cannot continue past the hour of 10:00 p.m. without a majority vote of the council to do so.

Motion was made by Woodall/Johnson to continue the hour of adjournment past 10:00 p.m. Motion carried 5-0.

A 5 minute recess was called at this time, 9:55 p.m.

The meeting reconvened at 10:00 p.m.

Approve Resolution No. 1222-2014 Establishing Wastewater Fees and Charges based on 70% Fixed Rate and 30% Volume Rate and Annual Adjustment Based on the Annual CPI Index

City Manager Stretch provided a staff report and stated this is a continuation of the Prop 218 public hearing on the proposed wastewater rate adjustments as are set forth in the accompanying resolution. He said the matter was properly noticed and notices were sent to all property owners and residents in the city. He noted that the city council conducted the first public hearing on May 20, 2014 and as expressed before, the city council was ready to move forward but staff did not have the resolution prepared at that time. He stated the resolution sets forth the fees with 70% fixed charges and 30% variable and also establishes how the program will be administered. He commented that the city council indicated that once the sewer fees are set they want to talk about the annual 3% adjustment policy because as he explained before, the annual adjustment for inflation should be based on the Bureau of Labor Statistics CPI index to be effective July 1st of each year. He noted that for this year the adjustment actually should have been 1.6% but didn't have the correct rate schedule in place yet so didn't modify the adjustment. He further reported that the resolution establishes the fixed rate at \$47.01 and the other 30% is based on average volume during the months of December, January and February of each year.

Councilmember Wilson questioned whether there should perhaps be a cap on the annual cost of living adjustment because historically it has been as high as 15% and doesn't necessarily relate to wastewater.

City Manager Stretch stated that if that were to happen, the council would need to bring the resolution back for possible amendment.

Councilmember Marks stated that she thought there was to be a mechanism in the resolution for adjustments to the average water consumption due to irregularities.

City Manager Stretch referred to Item (2) of the resolution which states that the city engineer is authorized to make adjustments under certain conditions.

Council discussed whether it is prudent to only authorize the city engineer to make such adjustments.

Community Development Director Caldwell commented that often the language is stated as "the city manager or his/her designee." as being authorized.

Consensus of the Council was that someone in addition to the city engineer be authorized to approve adjustments such as the public works director.

Councilmember Johnson stated that the wastewater capacity (connection) fee is recommended to be \$5,220 in the Capacity Fee Survey but is not reflected in the resolution.

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City Manager Stretch explained the wastewater capacity fee has already been adopted under separate resolution.

Discussion continued regarding how EDU's (equivalent dwelling units) are established. Councilmember Wilson referred to an account (Cornerstones) identified as 5 EDU's and said the use is no different than a normal residential use.

Mayor Thompson recused himself from discussion on this issue because the address being discussed, 423 Painter St. is owned by his cousin.

Councilmember Wilson said that he noticed churches sometimes use a lot of water and said he would like to understand what constitutes an EDU.

City Manager Stretch reviewed the calculation for establishing the count for commercial EDU's and said the EDU count equals the average winter water use which is 5 ccf and you times that by 60% plus 40% times the strength factor. He stated that the strength factors are based on industry standards and rely on the State Regional Water Quality Control Board to assign those strength factors.

He further explained that Bartle Wells Associates went through each and every account to determine the strength factor.

Mayor Thompson expressed his concerns regarding the proposed wastewater rate schedule and commented that it is estimated that 80% of the rate payers will see a reduction in their bill but disagreed because of the inactive accounts that weren't paying anything. He said he would like to see the wastewater rates stay at the \$76.16 fixed rate and that he is not in favor with the 3 month average when there may be other months where water consumption is lower than the 3 winter months.

He went on to say that the rate schedule should be easy to understand and it isn't. He said Bartle Wells Associates presented faulty numbers and said all the facts need to be true and correct. He said he is not interested in increasing any wastewater rates when water rates are going to have to be adjusted in the near future.

Councilmember Marks asked where the money will go in the event more revenue is generated that anticipated.

City Manager Stretch explained the goal is to have the rate structure be revenue neutral but if more revenue is collected that the target amount, the excess would go into wastewater capital because it is underfunded.

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Councilmember Woodall commented that this rate structure method was explored to make wastewater rates more equitable for low users but all it has done is open up a can of worms and said she would like to see the rates stay fixed so everyone is charged the same.

Councilmember Wilson stated that if the new rate structure is going to be adopted, then staff needs to basically do what Bartle Wells Associates did to make sure the data is correct. He said at the end of the day, he doesn't have a problem staying with the current fixed rate structure.

Councilmember Johnson said the only problem with that is that vacant units have access to sewer but aren't paying their share to maintain the system.

The question was raised whether the vacant (inactive) services could still be charged a system fee as proposed by Bartle Wells Associates without implementing the new rate structure.

City Manager Stretch pointed out that the consultant produced numbers initially based on incorrect information provided by staff. Since that time, there has been a change in staff and the correct numbers were provided. He said the consultant went through that data very carefully to make sure their calculations were correct and since then, the numbers have not bounced around.

Discussion ensued regarding accuracy of the calculations and potential effects on businesses.

City Clerk Dunham asked for permission to comment on the matter and said that she has personally seen a lot of customers come into the office lately, many of which are senior citizens to inquire about what they will be charged under the new rate structure and when they realize they will actually see a reduction their bill, they seem very excited and are counting on this to happen.

Councilmember Wilson said he likes what the consultant has proposed for residential customers but would like to take a closer look at commercial accounts to make sure those rates are equitable.

Mayor Thompson expressed concern once again about increasing some customer's wastewater rates then turning around and increasing water rates.

Councilmember Marks stated that if the city council passes this now, at least they will know how it is working before the city gets into the Water Rate Study.

City Clerk Dunham pointed out that the decrease in wastewater rates for 80% of the customers will help to absorb some the water rate increase so the financial impact will be minimal.

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Councilmember Marks said the idea is to collect for inactive accounts because those property owners are benefitting from a system even though they are not using it, and also to help those citizens who are low users and have less impact on the system.

City Manager Stretch commented that from the beginning, the council knew there would be winners and losers and it happens to be that 80% of the customers will benefit and 20% will not.

Councilmember Johnson stated that when he was appointed to the council approximately 1 year ago, everyone was talking about the Prop 218 Wastewater Rate Study and at that time he thought the council was headed down the right road with the idea of recovering revenue from vacant properties where there are millions of dollars of infrastructure improvements they should be contributing to and to give breaks to the people who needed breaks. He said as an engineer, if you get 99 ½% of something, you have overdesigned it. He said what he would like to do with any motion that is made is to say that the council will come back in 6 months and revisit the commercial accounts for the first 3 months of implementation which will give staff time to determine what is going on and if necessary, adjust the rates for those accounts.

City Manager Stretch agreed and encouraged the council to move forward with that in mind. He noted that there are really only 2 questionable commercial accounts anyway.

At 10:15 p.m., Mayor Thompson called for public comment on the proposed wastewater rate schedule.

Sharon Wolff addressed the council and said that she has sat through so many of these public hearings over the wastewater rates that she lost count and said her bill will go up and she doesn't mind paying for it if the rates are equitable but does not want to pay for those vacant accounts. She added that she does mind hearing the same comments over and over again because if the council is deciding to not implement the new rate schedule because of a couple of customer's bills going up then she wishes that would have been decided a long time ago because this is nuts. She noted that some people's bills will go up and some will go down and when the Water Rate Study is done that can be debated then and besides that, she would like to go home.

Motion was made by Johnson/Marks to adopt Resolution No. 1222-2014 Establishing Wastewater Fees and Charges based on 70% fixed rate and 30% volume rate and annual adjustment based on the annual CPI index with an amendment to Item 2 of the Resolution striking "City Engineer" and adding "City Manager or his/her designee" relative to approving adjustments, and that the Council comes back in 6 months to look at all of the commercial accounts for the first 3 months under the new rate structure. Motion carried 3-2.

A public hearing was opened to receive public comment on the proposed ordinance. There being no public comment, the public hearing closed.

REPORTS/STAFF COMMUNICATIONS

Chief of Police Hill reported on recent activities in the police department and said he will be meeting with a representative of the State Department of Fish & Game on June 27th and will be going over some issues related to the river bar and will report back to the council.

Community Development Director Caldwell reported on activities in the planning department and said on the next planning commission agenda he will be presenting new fence regulations to reflect an exemption of the building code to increase the maximum fence height from 6 feet to 7 feet; and a text amendment of Chapter 17.35 of the General Provisions of the Rio Dell Municipal Code since there have been a number of new amendments adopted.

Finance Director Woodcox reported on recent activities in the finance department and said the credit card system is finally up and running. She said there were a couple of glitches in the beginning so the vendor has agreed to reimburse the city for the cost of the card reader. She also reported that she will be attending a SCORE meeting in Redding on June 27th; staff was working on close out of May and will begin working on the year-end close-out.

COUNCIL REPORTS/COMMUNICATIONS

Councilmember Woodall thanked the members of the public who stayed to the end of the meeting.

Councilmember Marks thanked Mayor Thompson for the many hours he spent putting together numbers for the Wastewater Rate Study.

Mayor Thompson reported at the last meeting of the Humboldt Waste Management Authority (HWMA) he was re-elected as Chair for another year.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 10:25 p.m. to the regular meeting of July 1, 2014.

Jack Thompson, Mayor

Attest:

Karen Dunham, City Clerk

**RIO DELL CITY COUNCIL
SPECIAL MEETING
JUNE 24, 2014
MINUTES**

A special meeting of the Rio Dell City Council was called to order at 5:30 p.m. by Mayor Thompson.

ROLL CALL: Present: Mayor Thompson, Councilmembers Johnson, Marks, Wilson and Woodall

Others Present: City Manager Stretch, Finance Director Woodcox, Chief of Police Hill, Water/Roadways Superintendent Jensen, City Clerk Dunham and City Attorney Gans

Absent: Community Development Director Caldwell and Wastewater Superintendent Chicora (excused)

SPECIAL MEETING MATTERS

Mayor Thompson announced the items to be discussed in closed session and called for public comment. There being no members of the public present to comment, the council recessed into closed session.

1) CLOSED SESSION – PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Manager (Pursuant to Gov't Code Section 54957)

2) CLOSED SESSION – PUBLIC EMPLOYEE APPOINTMENT

Title: New City Manager (Pursuant to Gov't Code Section 54957)

3) CLOSED SESSION – PENDING LITIGATION

Name of Case: City of Rio Dell v. SHN Consulting Engineers & Geologists, Inc., a California Corporation – Case No. DR130745 (Pursuant to Gov't Code Section 54956.9(a))

The council reconvened into open session at 6:30 p.m.

Mayor Thompson announced there was no reportable action taken in closed session.

Motion was made by Thompson/Johnson to add an unlisted item to the agenda “Authorizing the City Manager to Sign an Agreement for Preparation of Full Application for the 2014 Integrated Regional Water Management Drought Solicitation Project Grant for City of Rio Dell and Scotia CSD Emergency Water Intertie” pursuant to Government Code Section 54954.2(b.2) because the need to take action arose subsequent to the agenda having been posted. Motion carried 5-0.

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City Manager Stretch requested the item be placed under Special Call Items for discussion and consideration.

PUBLIC PRESENTATIONS

Dave Griffith presented Chief Hill with a bag of cigarettes butts that he picked up throughout the City and said next time Councilmember Wilson will be the lucky recipient.

Councilmember Wilson thanked him for helping to clean up the city and said he has no problem receiving them as long as he keeps up the good work.

CONSENT CALENDAR

Motion was made by Wilson/Woodall to approve the consent calendar including the approval of the award of bid for the CDBG Belleview/Ogle Drainage Study to Whitchurch Engineering of Fortuna. Motion carried 5-0.

SPECIAL CALL ITEMS

Authorize City Manager to Sign an Agreement for Preparation of Full Application for the 2014 Integrated Regional Water Management Drought Solicitation Project Grant for City of Rio Dell and Scotia CSD Emergency Water Intertie

City Manager Stretch provided a staff report and said that he received an email today regarding the city's grant application through the North Coast Resource Partnership (NCRP) 2014 IRWM Drought Priority Solicitation funded by the Department of Water Resources (DWR) (Prop 84) to facilitate an emergency intertie project between Rio Dell and Scotia CSD. He said out of 23 applications, the city ranked second of which only 11 are being proposed for funding. The city was allocated \$783,000 in potential grant funds for the project and the NCRP is requesting additional information from the 11 applicants prior to submittal of the projects to DWR for funding. He said GHD is assisting with preparation of the application materials and with the subsequent design and construction related permitting and engineering services. He said in order to move forward with the project; Tasks 1-2 must be completed by June 27th which necessitated the need to place the item on the agenda as an urgency matter.

City Manager Stretch reviewed the scope of work under the proposed agreement with GHD and recommended approval of the agreement as submitted in the amount of \$5,700.

Mayor Thompson called for public comment on the proposed agreement.

Joe Timmerman asked what the financial responsibility is for Scotia CSD and what qualifies as an emergency.

City Manager Stretch stated that the city is currently in negotiations with Scotia CSD related to funding of the project, and said examples of qualified emergencies would be broken water lines or water tanks, failure of the infiltration gallery or the loss of water volume.

Councilmember Johnson asked for a project timeline including construction if approved.

City Manager Stretch stated a project timeline will be provided.

Motion was made by Johnson/Marks to authorize the City Manager to sign the Agreement with GHD, Inc. for preparation of the full application for the 2014 Integrated Regional Water Management Drought Solicitation Project Grant for the City of Rio Dell and Scotia CSD Emergency Intertie Project. Motion carried 5-0.

SPECIAL MEETING MATTERS

Approve Resolution No. 1225-2014 Adopting the 2014-2015 Fiscal Year Budget

City Manager Stretch provided a staff report and stated that staff prepared three alternative budgets and resolutions following the council's directive with regard to charges for water and sewer service for the Rio Dell Fire Department. He said Budget #1 reflects fire department revenue of \$2,288; Budget #2 reflects no charge to the fire department for water and sewer service; and Budget #3 reflects reimbursement to the fire department for water and sewer charges resulting in revenue of \$984 to water operations, \$1,304 to sewer operations; offset by a \$2,288 general fund expenditure.

Councilmember Wilson commented that during the June 10th budget study session, the council discussed options for resolving the budget shortfall and at that time the consensus of the council was to proceed with the current level of staffing, with the exception of a 20% reduction in time for the community development director as he proposed, to balance the budget with reserves and to move forward with a tax revenue measure for the November ballot; and if the revenue measure failed to then consider a reduction in staff. He said that he feels the council acted too quickly and should have given more thought to the budget. He recommended the council not eliminate the Accountant I position at this time. He also commented that projected expenses in the building department were increased by \$30,000 to fund a portion of the community development's salary to do building inspections and a portion of the city clerk's salary for issuing building permits and providing other administrative support. He presented the idea of perhaps utilizing an employee in a lower salary range to assume some of those responsibilities.

Councilmember Johnson questioned the city attorney on the legality of Budget Option #3, reimbursing the fire department for utility services.

City Attorney Gans stated that technically if the city is going to utilize funds for that purpose, the city council needs to make a finding that it is a municipal purpose for which the funds are

being spent to reimburse the fire department. He noted that general fund proceeds can be utilized to do that. He said the issue he was asked to evaluate and provide information to the city council on is the effect of Prop 218 on the city's obligation to its internal departments for water and wastewater services utilized to recapture those revenues in the appropriate funds so the answer is "yes" although there is no clear California precedent. He further reported that Supreme Courts have considered it and taken a strong position that cities are obligated to meter and collect those charges. The concept is, and how the court evaluates it, is that all rate payers that pay for water and sewer services should pay for a proportional rate. He explained if one payer doesn't pay or is exempted from paying, the rates are going to get subsidized by the other users. The legal concept is that Prop 218 requires everyone to pay including the city to the extent that the city is a consumer of its own services. He said again, the city ultimately is going to recover those costs in its water fund but in essence is where the law wants the money to go so the system improvements can be capitalized and the water fund can be self-sufficient. He stated that there is no preclusion however; from the city identifying a very specific public need from within the city if the city wants to utilize its general fund to help subsidize or offset costs.

Councilmember Johnson questioned staff about potential water leaks throughout the fire department system, perhaps with the irrigation.

Water/Roadways Superintendent Jensen stated there is a 2" meter that serves the fire hall and the public restrooms and in monitoring the meter reading over the past week, it appears there is no leak as the average usage is only .3 ccf/day which equals to approximately 4 units per month. He indicated that based on prior monthly readings, the usage fluctuates between 4 and 15 units.

City Manager Stretch stated that if the council is considering reimbursement of the charges, they might want to do it on a retrospective basis because you would want to see what the use is for 6 months or so. Also, the fire department could consider adjusting their fees for rental of the facility.

Councilmember Marks asked how the baseball field at fireman's park is watered.

Water/Roadways Superintendent Jensen said the field is watered from the fire hydrant which is not metered.

Staff pointed out that the loss of water in the city is approximately 2 million gallons/month.

Council asked if the fire hydrant is going to be metered.

Staff responded that there has been some discussion about it but nothing has been done. He said the main reason for it is to identify where all the lost water is going.

City Attorney Gans noted that one thing for the city council to consider is how other municipalities have dealt with this type of situation. He said that the city of Davis never monitored or billed water used by public facilities so basically they have made the decision to meter those uses and capture those costs over time. He said the reason he has recommended the city continue to meter its own city use and capture those costs is to be more proactive toward compliance.

Councilmember Marks asked if other cities charge for fire services.

City Attorney Gans stated that he hasn't found any authority where any municipality is attempting to meter fire hydrants for emergency service uses and it simply doesn't make sense. He said he doesn't see that as being a component of this issue.

Councilmember Wilson asked what some of the options are for fire departments to fund the cost of utilities.

City Attorney Gans stated that it just depends and that some cities have pretty unique agreements in place. He said there is a component in the cost of renting the facility which could be passed on to the renter.

Mayor Thompson called for public comment on the subject.

Brandon Phillips commented that the city is fortunate to have Russ Gans for its attorney because he is the best and he respects his opinion but the city council should not even be talking about this because Rio Dell is not Davis. He said he doesn't see any sense in pursuing this issue when what we're talking about is only a few thousand dollars.

Councilmember Woodall referred to a recent Public Records Act (PRA) request from Sharon Wolff and read an excerpt from that document that read: "The current lawsuit involving these same general issues brought by rate payers against the city of Davis was mentioned during the study session in a brief reference to the possible effects on the city's current practices. However, there have been numerous lawsuits regarding the same issues of subsidized utilities since the passage of Prop 218 as well as many publications distributed by the state and the League of California Cities advising municipal governments against the continuation of these practices. There has been ample notice over the years that the city practice of providing rate payer subsidized water is illegal and should have been addressed long ago."

She went on to say that when the city gets things like this they have to be concerned about potential lawsuits. She said the fire chief might want to take a look at the entire document as it is a matter of public record.

Fire Chief Wilson asked if any consideration has been given to monitor the meter, collect the data to compute the bills then reduce the rates accordingly so the rate payers are not paying for that use.

City Attorney Gans stated that potentially he doesn't think any Prop 218 consultant has evaluated it that way and explained again that the concept of Prop 218 and what it requires is proportionality so that every rate payer pays proportionately to the amount of water consumed. If you meter and bill every user no matter if a private or public individual and set the rate based on that wholly captured consumption, everyone will be paying the same rate so there won't be any argument that the rate structure is not proportionally crafted. He said it is a far better way to do it; meter and bill for the use and if the city wants to utilize general fund monies to compensate for some municipal use, the rates can be structured as such.

He made it clear that there is no California court yet that says that this is the law however; a number of Supreme Courts have considered the issue and it seems to be trending that way so advised the city to be proactive.

Fire Chief Wilson commented that he understands what the city attorney is saying but in order to go this route, it is going to take countless staff hours to implement.

City Attorney Gans stated the biggest issue is really monitoring the usage by the fire department.

City Manager Stretch pointed out that as part of the Prop 218 Water Rate Study, the consultants will take into consideration all revenue received from all sources and will be figured into the total cost of the running the program to establish an equitable rate structure.

Fire Chief Wilson said he wanted to formally apologize to the city council, city manager and staff for the heated comments made at the last meeting and said one of his biggest criticisms was the lack of communication between the city and the fire department. He said communicating is a 2-way street and the problem is as much his fault as the city manager's. He expressed the importance of the two agencies communicating and working together and said he will be making a much better effort and will be addressing the water usage at the fire department. He commented that all of the water spigots on the grounds are on and accessible to anyone so there is the possibility that water could be leaving for unrelated activities. He suggested removing the handles to help prevent unauthorized use of water.

He explained the reason they water the baseball field prior to Wildwood Days is not only to make the field green and be more presentable but also to keep it as safe and playable as possible. He said the field is very rough and full of gopher holes so they take a roller out to level it as much as they can which requires watering it to soften the ground. He commented that if the city has an issue with that, they will discontinue doing that as well as the softball tournament entirely.

Mayor Thompson stated that he wanted to share with the public that he spoke with Fire Commissioner Timmerman and they both are committed in working together to improve the relationship between the city and the fire department and when the new city manager gets settled they plan on sitting down with him and having personal face-to-face discussions to work out any unresolved issues.

Councilmember Wilson stated that he had an earlier discussion with his fellow city councilmembers and said he owes Mr. Stretch an apology for his attitude at the last meeting. He said he will attempt to be more civil in the future and if there is an issue where he disagrees with the city manager, he will discuss it privately and not in front of the city council like he did at that meeting.

City Manager Stretch stated for the record that the “old” city manager will be cooperative and communicate as much as he can and if he came up short at the last meeting, he will try and do better between now and the end of his tenure. He said he likes Rio Dell which is why he agreed to come back a third time. He thanked Councilmember Wilson for his comments.

Carol Theuriet addressed the council and asked if there is any potential litigation against the city for not charging the fire department for water and said she heard from two people in the city that there is current litigation.

City Attorney Gans stated that to his knowledge there have been no written or formal claims submitted to the city related to this issue at this time.

Mayor Thompson stated that the city council does everything in their power to prevent that from happening and agreed that it is difficult to do business at times with all the rules and regulations.

City Manager Stretch stated that the city has a recommendation from a leading rate study consultant who is working with the city of Davis and has recommended the city not be in this position and has quoted the Davis city attorney giving Rio Dell and any other public agency the same advice. He said the people who know what is going on are telling the city not to be in this situation because of challenging defense costs. He noted that the city of Davis didn't even contest the claim and before that, Sacramento agreed they had a Prop 218 issue and fixed it before it was litigated.

Councilmember Woodall asked if the third recommendation as presented in the staff report is viable.

City Attorney Gans stated that assuming the city council makes the finding that reimbursement from the General Fund is for a municipal benefit and an appropriate allocation to do that.

Councilmember Woodall then questioned the procedure for billing the fire department.

City Attorney Gans explained the idea would be to phase in the process by first monitoring the usage by reading the meter so the rate payer has an idea of what their obligation will be and then phase in the billing and collection.

Councilmember Johnson asked if the motion would need to also include the library; the answer was "yes."

Councilmember Marks asked if the annual water and sewer bill for the fire department was calculated at the base charge for 12 months.

City Manager Stretch explained the calculation was based on a 3 month average which may not be accurate since the last 3 months usage was used rather than the prior usage for the months of December-February since data was not available. He said it is very likely the annual total will be less, especially when you look at the recent daily usage.

Councilmember Woodall made a motion to approve Resolution No. 1225-2014 adopting the City of Rio Dell 2014-2015 Fiscal Year Operating and Capital Budget #3 and spreadsheet to reflect city reimbursement to the Rio Dell Fire Department and library for payment of utility services and to direct staff to meter and collect from all non-profit agencies.

Councilmember Wilson asked if this motion approves the budget as the final budget; City Manager Stretch clarified that it does.

Councilmember Wilson said as such he would like council's consideration on the non-reduction of staff as previously directed by the council.

City Manager Stretch explained that in prior years the city had several capital projects in the budget that required an additional accountant and since we no longer have those projects, the finance department is simply over-staffed and it really has nothing to do with the proposed revenue measure.

Councilmember Wilson then seconded the motion and commented that he still has reservations with the staff reduction. Motion carried 5-0.

Mayor Thompson asked for the fire department's support of Measure U.

Mayor Thompson called for a brief recess at 7:25 p.m.

The meeting reconvened at 7:32 p.m.

Approve Resolution No. 1227-2014 Delegating Budget Adjustment Authority and Establishing a Budget Contingency Policy

City Manager Stretch provided a staff report and stated the current resolution sets forth the policy with regard to the delegating of authority to the city manager, finance director and department heads for the internal transfer of funds up to \$5,000 between budget line items; the city manager authority to approve transfers up to \$10,000; and beyond that amount requires city council approval.

He reviewed the recommended amendments and said the authorization for a department head to transfer funds between line items would be reduced from \$5,000 to \$3,000 with the approval of the finance director, and clarifies that a transfer between budget units or to another requires the approval of the city manager. He noted that transfers between \$3,001 and \$10,000 will require the approval of the finance director and the city manager.

He said a "Request for Budget Transfer" form will be required to accompany all transactions which will provide a clear paper trail for all transfers. He said another change is that the policy will require internal budget transfers to occur on a flow basis, rather in a batch at the end of the fiscal year which will provide for the accuracy of account balances.

He commented that the city council will receive copies of budget transfers in agenda packets with supplemental budgets and transfers requiring council approval.

Motion was made by Johnson/Marks to approve Resolution No. 1227-2014 adopting a policy for budget contingency and rescinding Resolution No. 966-2007. Motion carried 5-0.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 7:40 p.m. to the July 1, 2014 regular meeting.

Jack Thompson, Mayor

Attest:

Karen Dunham, City Clerk

**RIO DELL CITY COUNCIL
REGULAR MEETING
JULY 1, 2014
MINUTES**

The regular meeting of the Rio Dell City Council was called to order at 6:30 p.m. by Mayor Thompson.

ROLL CALL: Present: Mayor Thompson, Councilmembers Johnson, Marks, Wilson, and Woodall

Others Present: City Manager Stretch, Finance Director Woodcox, Community Development Director Caldwell, Wastewater Superintendent Chicora and City Clerk Dunham

Absent: Chief of Police Hill and Water/Roadways Superintendent Jensen (excused)

PUBLIC PRESENTATIONS

Nick Angeloff stated he would like to honor R. J. Rexford as the only Rio Dell-Scotia Little League player to make it to the All-Stars and congratulated him for a job well done.

CONSENT CALENDAR

City Manager Stretch reviewed three minor corrections to the consent calendar items as follows:

- Item 3 – Resolution No. 1225-2014 Adopting the Operations and Capital Budget - under staff allocations, City Manager should reflect 1 full time position and Community Development Director should reflect .80 positions.
- Item 4 – Resolution No. 1230-2014 Approving Billable Rates – the billable rates for the Water Superintendent and Wastewater Superintendent were reversed.
- Item 5 – Resolution No. 1229-2014 Confirming Sewer Assessment Bond Tax Assessment – the prior resolution was used as a template and the results of the Council vote was not deleted.

Motion was made by Marks/Woodall to approve the consent calendar as amended including the approval of minutes of the June 10, 2014 Special meeting; approval of Resolution No. 1231-2014 requesting the County of Humboldt Elections Department to include Rio Dell in the in the November 2014 General Election; approval of Resolution No. 1225-2014 adopting the Operations and Capital Budget for FY 2014-2015 as amended; approval of Resolution No. 1230-2014 approving billable rates for staff time for FY 2014-2015 and rescinding Resolution No. 1207-2013; approval of Resolution No. 1229-2014 confirmation of the FY 2014-2015 Tax Assessment for financing of the 1978 Sewer Assessment Bonds; and approval of Employment Agreement with Kyle C. Knopp as City Manager. Motion carried 5-0.

SPECIAL PRESENTATIONS

Presentation by Redwood Coast Energy Authority (RCEA) on City of Rio Dell Greenhouse Gas Inventory

City Manager Stretch stated representatives from the Redwood Coast Energy Authority were present to provide a power point on Greenhouse Gas Emissions based on the 2005 inventory date established as the baseline.

Leabeth Peterson proceeded with the power point and explained the purpose of conducting a Greenhouse Gas Emissions Inventory is to inform the participating jurisdictions in the development of a Climate Action Plan; gauge the success of community actions that reduce emissions; and to inform integration of climate-related actions into the City's General Plan.

She said the benefits of a Climate Action Plan are that it saves the community money; streamlines the CEQA process; leverages funding tied to climate goals; and prepares for changes in the community that result from climate change.

Next was review of the emissions inventory methodology. She noted that an emissions inventory tool was developed for the county based on the *U.S. Community Protocol for Accounting and Reporting of Greenhouse Emissions*. Total emissions for Rio Dell in the baseline inventory year 2005 were reported at 20,577 metric tons with the largest emissions sectors being transportation at 62% and residential at 27%. The remaining 11% were identified as commercial, solid waste and wastewater.

Councilmember Johnson stated that in doing the calculations, each person in Rio Dell creates 6.5 metric tons of greenhouse emissions per year and asked how that compares to other cities.

Ms. Peterson responded that Rio Dell is substantially less than Eureka although she did not do comparisons with other cities.

Councilmember Wilson commented that the study was done in 2005 to establish a baseline and asked if the Council will see how that compares to the 2010 study.

Ms. Peterson commented that they could provide an additional presentation if that is the desire of the Council.

Community Development Director Caldwell commented that he believes the study would show a reduction in emissions as the result of the new wastewater treatment plant upgrade.

Councilmember Johnson asked with regard to future forecasting if there is anything the City can do to reduce emissions.

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Ms. Peterson stated the greatest emissions come from the transportation sector followed by the residential sector and indicated there are a lot of emission reduction strategies to consider such as energy efficiency, renewable energy, vehicle fuel efficiency, alternative transportation, vehicle trip reduction, land use and transit planning, and waste reduction among other things. She said transportation fuel consumption and PG&E gas and electricity consumption is particularly important to focus on.

Councilmember Wilson said the largest emissions are from vehicles so with the exception of riding bicycles how are miles driven tracked to see if those emissions are being reduced.

Ms. Peterson stated the amount of vehicle miles traveled was based on estimated growth rates; not actual data.

Community Development Director Caldwell noted that as part of the Green Waste Building Standards all California cities are required to implement waste diversion plans and all new building construction projects are required to complete a Construction Waste Management Plan and recycle or salvage for reuse a minimum of 50% of non-hazardous construction and demolition debris.

Council questioned the effects of the co-generation plant in Scotia and noted that they have a state of the art emissions system and actually operate under an air permit.

Mayor Thompson called for public comment on report.

Nick Angeloff commented if a Climate Action Plan is developed for Rio Dell using 2005 data consideration should be given to the fact that Rio Dell has no current industrial development and although with new industrial development emissions will increase, transportation emissions will be reduced with less miles traveled with the creation of local jobs. He asked that careful consideration be given to not limit industrial growth under the development of a Climate Action Plan.

Tracy Burke stated that it seems that Rio Dell is a bit of an anomaly because of its size compared to large cities and asked if there is any way to see if the city meets the goals of the model Climate Action Plan.

It was explained that some local data was used but in terms of providing an individual data analysis for Rio Dell it is not available as a general community protocol was used in compiling the data.

Councilmember Johnson commented that Humboldt County Associates of Governments (HCAOG) has done a study and asked if that data was used to compile the data.

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The response was that a decision was made to use the inventory model that takes the annual county-wide miles traveled used from year to year.

Councilmember Wilson asked if the City can sell carbon credits; the answer was “yes and they do.”

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Conduct Second Reading (by title only) and Adopt Ordinance No. 321-2014 and Resolution No. 1220-2014 Establishing Residential Multi-family Zoning Designation, Section 17.20.035 of the Rio Dell Municipal Code; a Zone Reclassification Redesignating Approximately 8.7 acres from Urban Residential (UR) to Residential Multi-Family; Redesignating the Downtown City Parking Lot from Town Center (TC) to Public Facility (PF); Establishing Emergency Shelters/Transitional Housing Regulations, Section 17.30.079 of the Rio Dell Municipal Code; and Amending Section 17.10 of the Rio Dell Municipal Code, Definitions to Include Emergency Shelters/Transitional Housing

Community Development Director Caldwell provided a staff report and said the ordinance was introduced at the June 17, 2014 regular meeting and is before the Council for its second reading, public hearing and adoption at this time.

A public hearing was opened to receive public comment on the proposed ordinance and resolution. There being no public comment, the public hearing closed.

Motion was made by Woodall/Marks to adopt Ordinance No. 321-2014 and Resolution No. 1220-2014. Motion carried 5-0.

Conduct Second Reading (by title only) and Adopt Ordinance No. 322-2014 Amending Rio Dell Municipal Code Section 13.10.130 noting when Wastewater Fees are due and Transferring Wastewater Fee Authority from RDMC to Resolution No. 1222-2014

City Manager Stretch provided a staff report and said this ordinance was also introduced at the June 17, 2014 meeting and is before the Council for its second reading, public hearing and adoption at this time. He reviewed minor amendments to the draft ordinance as recommended by the Council including amendment of Section 13.10.230 to delete reference to supplying sewer service to customers outside of the City as there are no customers outside of the City limits who receive sewer service and no plans for extension of services. He said language was also added to say that upon application for a building permit and prior to the actual construction of any sewer facilities by the applicant, connection fees including all actual costs by the City to provide the service shall be paid.

A public hearing was opened to receive public comment on the proposed ordinance. There being no public comment received, the public hearing closed.

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Motion was made by Johnson/Woodall to adopt Ordinance No. 322-2014 amending Sewer Rates and Regulations, Section 13.10.130 of the Rio Dell Municipal Code (RDMC) noting when wastewater fees are due and transferring wastewater fee authority from the RDMC to Resolution No. 1222-2014. Motion carried 5-0.

Adopt Ordinance No. 326-2014 Imposing a Transaction and Use Tax to be administered by the State Board of Equalization and Approve Resolution No. 1232-2014 Establishing Date of November 4, 2014 as the Date to Place the Temporary General Government Services Transaction and Use Tax of 1% for 5 Years Before the Voters for Approval and Requesting the Board of Supervisors of Humboldt County to Consolidate said Election with the Statewide General Election

City Manager Stretch provided a staff report and said on June 10, 2014 the City Council received a report on several local revenue options and selected a temporary 1% increase in the local Sales and Use Tax as the revenue measure to be placed on the November 4, 2014 ballot for voter approval. He said the ordinance is presented as an emergency item because of the time constraints to get the measure on the ballot. As such, a public hearing is required but no second reading is required and the ordinance becomes effective upon adoption as does the resolution.

City Manager Stretch directed the Council's attention to the *City Attorney's Impartial Analysis* as presented and pointed out a minor revision to delete the words "updating fire stations." He stated the City Clerk has the revised version for submittal to County Elections.

Mayor Thompson opened the public hearing to receive public comment on the proposed ordinance. There being no public comment, the public hearing closed.

Motion was made by Johnson/Marks to adopt *Ordinance No. 326-2014 Imposing a Transactions and Use Tax to be administered by the State Board of Equalization*. Motion carried 5-0.

Mayor Thompson called for public comment on the proposed resolution. There being no public comment, the public comment period was closed.

Motion was made by Johnson/Marks to approve *Resolution No. 1232-2014 Establishing November 4, 2014 as the Date for an Election on a Proposed Ballot Measure Seeking Voter Approval Relating to the Enactment of a 1% Transactions and Use (Sales) Tax for 5 years and Requesting the Board of Supervisors of Humboldt County to Consolidate said Election with the Statewide General Election*. Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

City Manager Stretch reported on recent activities in the City Manager department and said there was a mathematical error made on the grant application for the Rio Dell-Scotia CSD Emergency

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Water Intertie Project and reported the City was awarded \$783,000 rather than \$913,000 as requested. He stated that the State Department of Health Services has indicated they will be willing to assist with the additional funding.

He also reported that Merritt Perry was assigned as the City's Engineer under the special contract agreement with GHD Engineering and since he has now left the firm, the contract is up for renegotiation. He said he will be discussing the issue with the new City Manager and setting up a meeting with GHD as soon as it can be arranged.

Chief of Police Hill reported on recent activities in the police department and said he was in contact with a representative of the State Department of Fish & Game and they have agreed to prepare a matrix to show who the contact is for complaints or concerns related to activity on the river bar.

Finance Director Woodcox reported on recent activities in the finance department and said she was in the process of evaluating how the staff reduction will affect her department; and reported that she attended a SCORE meeting in Redding and received the City's annual dividend for liability insurance.

Councilmember Wilson asked when the final budget would be presented.

Finance Director Woodcox stated she was working on the final adjustments and will be prepared to submit the final budget to the Council for approval at the next meeting.

Community Development Director Caldwell reported on recent activities in the planning department and said the Wildwood Avenue Sculpture Committee met and reviewed three art sculpture applications and will be contacting the applicants for additional information and asking for the display of their art during Wildwood Days.

He also reported that he received a call from Humboldt State University (HSU) who is tracking paragon falcons and have located one or two breeding pairs on the Rio Dell-Scotia bluffs and said they will be trapping and tagging them; reported in attempt to wrap up the grant for the Ogle-Belleview Drainage Project, he learned through HCD that the City may need to re-issue RFQ's or RFP's; and stated he will be attending a building inspection workshop in Modesto during the week of July 14th.

Wastewater Superintendent Chicora reported on recent activities in the sewer department and said the irrigation field at the wastewater effluent disposal site was mowed and working beautifully.

COUNCIL REPORTS/COMMUNICATIONS

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Councilmember Johnson announced that he will be out of town and unavailable for the upcoming League of California Cities meeting in Blue Lake on July 11th and the July 17th HCAOG meeting and asked if the alternates would be available to attend.

Councilmember Woodall stated she would try and attend the League meeting in Blue Lake; Mayor Thompson said he will be available to attend the HCAOG meeting on the 17th.

Councilmember Wilson reported on his attendance at the last RREDC meeting and said the Board participated in a tour of the old pulp mill that the Humboldt Bay Harbor District purchased (climbing up 17 flights of stairs) and said it is very impressive what they are doing out there. He said one of the reasons EPA is making such an effort to do this is when the legislative representatives came out from Washington, D.C. they looked at the Bay and discovered that the Bay is really pure. He said now that it is protected, it needs to remain protected and at the same time they still want to promote industry and a large ship will be coming into the Bay and hauling out wood chips. He said it has been a long time since a ship of this size has come into the Bay which is exciting.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 7:30 p.m. to the regular meeting on July 15, 2014.

Jack Thompson, Mayor

Attest:

Karen Dunham, City Clerk



675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 Fax

**CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
Tuesday August 19, 2014**

TO: Mayor and Members of the City Council
THROUGH: Kyle Knopp, City Manager *[Signature]*
FROM: Brooke Woodcox, Finance Director *[Signature]*
DATE: August 19, 2014
SUBJECT: Resubmit Transportation Development Act (TDA) Claim

RECOMMENDATION

Authorize the Finance Director to sign and resubmit the City's annual TDA Claim

BUDGETARY IMPACT

Total TDA funds of \$114,888 (an additional \$6,279 from previous amount of \$108,609)

BACKGROUND AND DISCUSSION

On August 5, 2014 at a regularly scheduled Council Meeting Council approved the Finance Director to submit the annual TDA claim. With information that Staff had available at the time the amount of the claim was \$108,609. HCAOG has amended this amount to \$114,888 for the FY 2014-2015. In order to claim the additional funding, staff must resubmit the City's annual TDA claim to HCAOG.

The 2014-2015 projected allocation is \$114,888. Proposed projects outlined in the City's 2014-2015 financial plan includes \$40,646 to be provided to Humboldt Transit Authority for share of costs for transit services within the City, \$6,630 to be provided to the Humboldt Senior Resource Center for senior transportation, and \$67,612 for ongoing street repair, maintenance, and construction within the City.

ATTACHMENTS

HCAOG Amended Resolution 14-01(A)
Claim Request
Annual Project and Financial Plan
Statement of Conformance

HCAOG

Humboldt County Association of Governments

Amended

Resolution 14-01(A)

**RESOLUTION OF THE HUMBOLDT COUNTY ASSOCIATION OF
GOVERNMENTS APPROVING THE TRANSPORTATION DEVELOPMENT ACT
(TDA) LOCAL TRANSPORTATION FUND (LTF) FISCAL YEAR 2014-2015
FINDINGS OF APPORTIONMENT AND ALLOCATION**

WHEREAS, the Humboldt County Association of Governments is the Regional Transportation Planning Agency for Humboldt County, and is responsible for the administration of the Transportation Development Act of 1971, as amended thereafter; and

WHEREAS, the Humboldt County Association of Governments has established rules and regulations, consistent with existing law, whereby there shall be a set-aside for pedestrian and bicycle allocations equivalent to 2% of the money remaining in the fund after allocations to higher purposes; and

WHEREAS, the Humboldt County Association of Governments did not make a finding for better use; and

WHEREAS, the County of Humboldt, and the Cities of Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell and Trinidad are each required to file annual transportation claims for the funds which remain after necessary expenditures for administration, planning and the 2% set aside for pedestrian and bicycle uses from the Local Transportation Fund of Humboldt County, in accordance with their populations, apportioned to them by the Humboldt County Association of Governments, pursuant to the Act; and

WHEREAS, it is the responsibility of the Humboldt County Association of Governments, under the provisions of the Act, to review the annual transportation claims and to make allocations of monies from the Local Transportation Fund; and

WHEREAS, the Auditor of Humboldt County is instructed to pay monies in the fund to the claimants pursuant to allocation instructions received from the Humboldt County Association of Governments; and

WHEREAS, the County Auditor issued an estimate of revenues in the amount of \$4,679,725 for Local Transportation Funds (LTF) for FY 2014-2015.

NOW, THEREFORE, BE IT RESOLVED that the Humboldt County Association of Governments shall make the following allocations based on population estimates determined by the California Department of Finance:

1. To the Humboldt County Association of Governments for TDA administration and for planning and programming in the amount of \$220,000, per Section 99233.1 and 99233.2.
2. To the Humboldt County Auditor Controller for TDA Administration in the amount of \$4,000, per Section 99243.
3. To be reserved by the Humboldt County Auditor's Office for future reimbursements to the Cities and County for pedestrian and bicycle facilities purposes for local agencies as programmed and claimed in the amount ~~of~~ **equal to 2% of remaining incoming funds, estimated to be** \$89,115 per Sections 99233.3 and 99234.
4. To the Cities and County in the amounts listed below, upon review of claims filed:

	Population	% of Total Population	FY 14-15 Estimate	FY 13-14 Year-end Balance	Total Funds Available
Arcata	17,836	13.19%	\$576,018	\$34,002	\$610,020
Blue Lake	1,260	0.93%	\$40,692	\$2,370	\$43,062
Eureka	27,021	19.98%	\$872,650	\$52,208	\$924,858
Ferndale	1,366	1.01%	\$44,115	\$2,533	\$46,648
Fortuna	11,885	8.79%	\$383,829	\$22,081	\$405,910
Rio Dell	3,363	2.49%	\$108,609	\$6,279	114,888
Trinidad	365	0.27%	\$11,788	\$15,154	\$26,942
Humboldt County	72,113	53.33%	\$2,328,908	\$131,523	2,460,431

PASSED AND ADOPTED by the Humboldt County Association of Governments, in the City of Eureka, County of Humboldt, State of California, this ~~20th~~ **17th** day of ~~February~~ **July** 2014, by the following vote:

AYES: MEMBERS: **Ornelas, Strehl, Jäger, Schapiro, Mierzwa, Thompson, Sundberg**

NOES: MEMBERS: **none**

ABSENT: MEMBERS: **West**

ABSTAIN: MEMBERS: **none**


Attest: HCAOG Executive Assistant


Susan Ornelas, HCAOG Chair

APPENDIX C. ANNUAL CLAIM FORMS

CHECKLIST FOR ANNUAL LTF & STAF CLAIMS

By April 1 of each year, or at such time as preliminary budgeting information is available, the claimant shall file an annual claim with HCAOG.

■ **Non-Transit Claims:** Claimants shall submit items (a) through (d), inclusive, as part of the claim.

■ **Transit Claims:** An operator or transit service claimant shall submit items (a) thru (h), inclusive, to file a claim.

ALL claims must include items (a) through (d), inclusive.

HCAOG forms for parts (a), (b), and (c) are provided in this Excel file and on-line at www.hcaog.net.

Claimants are responsible for making sure they submit the most current forms.

- ☒ a) HCAOG "Claim Request" form. *[Included in following sheet]*
- ☒ b) HCAOG "Annual Project and Financial Plan" form. *[Included in following sheet]*
- ☒ c) HCAOG "Statement of Conformance" form. *[Included in following sheet]*
- ☐ d) Claimants who want to designate funds for a future, specific capital project must request it as part of a claim. The claim must indicate any reserved monies in the subsequent annual claim(s). Before expending these funds for any other purpose, the claimant must identify its proposed changes in an amended claim or subsequent annual claim. [CCR §6648]

Only transit claims must include items (e), (f), (g), and (h):

- ☐ e) To receive an allocation of funds for service outside the claimant's area, a claimant must provide, or have on file with HCAOG, an executed contract pursuant to PUC sections:
 §99231(f) -- Apportionment: Where a county or city provides public transportation services beyond its boundaries;
 §99260.2 -- Claims for peak-hour service;
 §99260.7 -- Claims for separate service to elderly and handicapped persons by JPA members;
 §99277 -- Service contracts;
 §99288 -- Extended service by contract or authorization;
 §99400(c) -- Claims Purposes: payment to entities under contract; or
 §99400.5 -- Multi-modal transportation terminals.
- ☐ f) If applicable, a statement identifying and substantiating the reason or need for: (1) increasing the operating budget in excess of 15% above the preceding year; (2) a substantial increase or decrease in scope of operations; or (3) capital provisions for major new fixed facilities.
- ☒ g) A certification by CHP verifying that the operator is in compliance with §1808.1 of the Vehicle Code, as required in PUC §99251. The certification shall have been completed within the last 13 months, prior to filing claims.
- ☐ h) A financial statement of actual and projected revenues and expenditures for the prior fiscal

For full information on claim requirements, see HCAOG's TDA Rules (part IV, "TDA REQUIRED REPORTS" Report #16).

CLAIM REQUEST

Check one:

☐ State Transit Assistance (STA) Fund

☒ Local Transportation Fund (LTF)

Claimant: CITY OF RIO DELL

Address: 675 WILDWOOD AVENUE, RIO DELL, CA 95562

Contact Person: BROOKE WOODCOX

Title: FINANCE DIRECTOR

Phone: 707-764-3532

E-mail: finance1@riodelcity.com

The CITY OF RIO DELL hereby requests, in accordance with the Transportation Development Act of 1971, Chapter 1400, and applicable rules and regulations, that its annual transportation claim be approved in the amount of \$ 114,888 for fiscal year 2014-2015. These monies are to be drawn from the local transportation fund of the County of Humboldt for the purposes and amounts shown in the attached "Annual Project and Financial Plan."

When approved, please transmit this claim to the County Auditor of the County of Humboldt for payment. Approval of the claim and payment by the County Auditor to this applicant is subject to such monies being on hand and available for distribution, and to the provisions that such monies will be used only in accordance with the terms of the approved annual financial plan.

Authorized representative of claimant:

By: Brooke Woodcox
(print name)

Title: Finance Director

Signature: _____ Submittal date: _____

APPROVED:

By: _____ Date: _____

Marcella Clem

Executive Director, Humboldt County Association of Governments

ANNUAL PROJECT AND FINANCIAL PLAN

Give each project a title and number in sequence, and briefly describe the transportation projects that your jurisdiction proposes. Indicate proposed expenditures for the ensuing fiscal year for all that apply:

- (i) public transportation operating and capital expenditures;
- (ii) construction of facilities for the exclusive use by pedestrians and bicyclists;
- (iii) construction of local streets and roads; and/or
- (iii) right-of-way acquisition.

Claimant: **CITY OF RIO DELL**

Fiscal Year: **2014-2015**

PROJECT (Project number, title, & brief description)	TDA - LTF \$ amount	PUC Article & Section	TDA - STA \$ amount	CCR Section	Local Fund Balance	Other	TOTAL
06-01 HTA/RTS Share of Cost	\$ 40,646	4-99260(a.)	\$ -		\$ -		\$ 40,646
06-02 HSRC Share of Cost	\$ 6,630	8-99400(c.)	\$ -		\$ -		\$ 6,630
06-03 Street Repair, Const. Maint.	\$ 67,612	8-99400(a.)	\$ -		\$ -		\$ 67,612
	\$ -	-	\$ -		\$ -		\$ -
	\$ -	-	\$ -		\$ -		\$ -
	\$ -	-	\$ -		\$ -		\$ -
	\$ -	-	\$ -		\$ -		\$ -
	\$ -	-	\$ -		\$ -		\$ -
	\$ -	-	\$ -		\$ -		\$ -
	\$ -	-	\$ -		\$ -		\$ -
	\$ -	-	\$ -		\$ -		\$ -
TOTAL	\$ 114,888		\$ -		\$ -	-	\$ 114,888

STATEMENT OF CONFORMANCE

Claimant CITY OF RIO DELL

Fiscal Year of Claim: 2014-2015

Certify all that apply.

☐ **STATE TRANSIT ASSISTANCE (STA) FUND - TRANSIT CLAIM
TRANSIT OPERATOR ELIGIBILITY**

Provide information for the previous two fiscal years.

	Fiscal year	Fiscal year
System Operating Costs	\$ -	\$ -
System Revenues	\$ -	\$ -
System Vehicle Service Hours	\$ -	\$ -

HCAOG staff use only

Subsidy per revenue vehicle hour	_____
Percent difference	_____
Regional CPI	_____

☒ **NON-TRANSIT CLAIM**

The claimant named above hereby certifies that this annual claim for local transportation funds in the amount of \$ 67,612 conforms with the requirements of Article 8, PUC Section 99400, of the Transportation Development Act of 1971, and applicable rules and regulations.

CERTIFIED BY CLAIMANT:

By: Brooke Woodcox

Title: Finance Director

Signature: _____

Date:

*Rio Dell City hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
riodellcity.com*



August 19, 2014

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager 

SUBJECT: Labor Market Informational Presentation from the Employment Development Department.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive the presentation from the Employment Development Department on labor market information.


BACKGROUND AND DISCUSSION

It is requested that the Council receive a presentation on labor market information from the Employment Development Department (EDD). Dennis Mullins, EDD's North Coast Labor Market Consultant will give the presentation via powerpoint which will also include general economic information and some new data related to the Eel River Valley. No action is required.

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)
E-mail: cm@riodellcity.com



**CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
August 19, 2014**

TO: Mayor and Members of the City Council
THROUGH: Kyle Knopp, City Manager 
FROM: Brooke Woodcox, Finance Director
DATE: August 19, 2014
SUBJECT: **Finance Department Staff Extension**

RECOMMENDATIONS

Approve additional extension of time to keep the current Senior Fiscal Assistant employee from October 1, 2014 to January 31, 2015.

BACKGROUND AND DISCUSSION

The fiscal year 2014-2015 budget was originally presented to Council on June 3, 2014 and showed expenditures of \$367,113 for the Finance Department. When the final budget was adopted on July 1, 2014 Finance Department expenditures had been reduced to \$302,167. This reduction of expenditures came about by Staff's decision to eliminate the Accountant I position for a savings of \$65,199. This decision not only meant that one employee was laid off, but also included that the current Accountant I employee be moved back down to the position of Senior Fiscal Assistant.

On July 15, 2014 with Staff's request Council approved that the current Senior Fiscal Assistant employee be kept on Staff until September 30, 2014 due to the unforeseen circumstances of the water curtailment and subsequent management of customer's water accounts. The additional cost was estimated to be \$8,999.

Recently it has come to Staff's attention that the original decision to reduce staff may have been hastily made since at that time staff lacked facts related to the elimination of the Accountant I position. Moreover, keeping staff at current levels has been reflected not only in the continual effectiveness of the general workflow of the Finance Department, but in the unforeseen workload that came about due to the drought. The cost of keeping staff at the requested levels until January 31, 2015 is \$18,031. The amounts drawn on Funds are \$3,935 to the General Fund and \$7,048 for both the Wastewater and Water Funds.

The Finance Department needs to accomplish various tasks in the first half of this fiscal year, with specific projects and assistance from the current Senior Fiscal Assistant as follows:

- DocStar document scanning and storage
- Cover front office when Fiscal Assistant II goes to Police Department for 8 hours/week as budgeted
- Gather data and reports/administrative assistance related to the upcoming water rate study by Barltles & Wells
- Ongoing Administrative Assistance & Customer Service
- Continued monitoring of customer accounts during drought
- Continued Payroll and Accounts Payable duties

The requested extension until January 31, 2014 gives Staff the ability to better determine the workload of the Finance Department, and the necessary staff required to maintain City services at acceptable levels. A full mid-year budget review will be presented to Council in order to determine the effectiveness and costs associated with Finance Department staff. The outcome of the tax ballot measure will be known at that time and will further assist in determining staff levels.



BUDGETARY IMPACT

The total amount to keep the Senior Fiscal Assistant for an additional 4 months is \$18,031 (General Fund \$3,935, Water and Wastewater Funds \$7,048 each). These amounts can be taken out of the Contingency Funds that were set up with the 2014-2015 adopted budget, or taken from General and Water Fund Reserves, and as an amended budget item to the Sewer Fund.

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)
E-mail: cm@riodellcity.com



**CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
August 19, 2014**

TO: Mayor and Members of the City Council
THROUGH: Kyle Knopp, City Manager 
FROM: Brooke Woodcox, Finance Director 
DATE: August 19, 2014
SUBJECT: Water Debt Service Fund (061) and Water Capital Fund (062)

RECOMMENDATIONS

Allow staff to transfer fiscal year 2013-2014 water capital financial activity from the Water Debt Service Fund (061) to the Water Capital Fund (062).

BACKGROUND AND DISCUSSION

During the 2013-2014 fiscal year it was brought to former City Manager's attention, Jim Stretch, that there were only two water funds: The Water Operations Fund (060) and the Water Capital/Debt Service Fund (061). In essence, water capital activities were co-mingled with water debt service activities. A Water Capital Fund (062) was set up to separate these financial activities after a study session was held on May 13, 2014 regarding a water asset management plan and water capital improvement plan. In the meantime, the majority of capital financial activity, including the 2013-2014 budget for water capital, had been posted to the Water Capital/Debt Service Fund (061).

In order to better reflect actual water debt service and capital activities within the Water Funds for the 2013-2014 fiscal year, staff needs to transfer the capital budgeted amounts out of the Water Capital/Debt Service Fund (061) to the newly created Water Capital Fund (062). Debt Service activities will remain in the Water Debt Service Fund (061).

BUDGETARY IMPACT

Budget and expenditure transfer of \$58,680.06 from Water Debt Service Fund (061) to Water Capital Fund (062).

ATTACHMENTS

Request for Budget Transfer
YTD Budget Variance Report for Water Debt Service Fund 061
General Ledger reports (transaction details)

CITY OF RIO DELL - REQUEST FOR BUDGET TRANSFER

FINANCE	03	19-Aug-14	
Department	Dept. #	Date	BT/ADJ#

1.) Reason for Budget Transfer Request:

WITHIN SAME FUND AND BUDGET UNIT

☐ < \$3,000 with Finance Director Approval

☐ > \$3001-\$10,000 with Finance Director and City Manager Approval

☒ > \$10,000 with City Manager Recommendation and Council Approval **FUND 061 TO FUND 062**

WITHIN SAME FUND, SEPARATE BUDGET UNIT

☐ Contingency Budget Transfer:
Transfer to/from Contingency Line Item for expenditure after all other sources within budget unit are unavailable (Recommendation of Finance Director and City Manager, and Council Approval)

OTHER TRANSFER REQUESTS

☐ Budget transfer that creates new line item (Approval of Finance Director and City Manager)

☐ Supplemental Budget Request to increase appropriations and/or revenues (Approval of Finance Director and City Manager, submitted with an amending Budget Resolution for Council Approval)

2.) TRANSFER FROM:

FUND	Object	ACCOUNT NUMBER	AMOUNT
061 Water Debt Svc.	Legal	5112-14-061-0000-0103	(2,151.50)
061 Water Debt Svc.	Fixed Asset-Equip	6000-14-061-0000-0000	(43.75)
061 Water Debt Svc.	Fixed Assets-Vehicles	6400-14-061-0000-0000	(9,046.22)
061 Water Debt Svc.	Infrastructure	6500-14-061-0000-0183	(33,900.00)
061 Water Debt Svc.	Infrastructure	6500-14-061-0000-0184	(4,599.59)
061 Water Debt Svc.	Fixed Assets-Land Imp.	6600-14-061-0000-0182	(8,939.00)
TOTAL TRANSFER			(58,680.06)

TRANSFER TO:

FUND	Object	ACCOUNT NUMBER	AMOUNT
062 Water Capital	Legal	5112-14-062-0000-0103	2,151.50
061 Water Capital	Fixed Asset-Equip	6000-14-062-0000-0000	43.75
062 Water Capital	Fixed Assets-Vehicles	6400-14-062-0000-0000	9,046.22
062 Water Capital	Infrastructure	6500-14-062-0000-0183	33,900.00
062 Water Capital	Infrastructure	6500-14-062-0000-0184	4,599.59
062 Water Capital	Fixed Assets-Land Imp.	6600-14-062-0000-0182	8,939.00
TOTAL TRANSFER			58,680.06

3.) In the space below, state (a) reason for transfer request, (b) reason why there are sufficient balances in affected accounts, and (c) why transfer cannot be delayed until next budget year.

a.) Budget adj. to separate 2013-14 Water Cap. activities from Water Debt Svc. per CM J. Stretch

b.) Budgeted amounts will be moved from Water Debt Svc. Fund To Water Capital Fund

c.) Transactions were posted in Debt Svc. Fund, but need to be moved to Water Capital in order to better track activities

4.) _____
Department Authorization Signature

5.) _____
Finance Director Signature (amounts verified)

6.) City Manager Approval and Signature
_____/Approved ____/Not Approved
_____/Recomm. ____/Not Recomm.

City Manager Signature _____

(7.) Council Approval and Signature

Approved ☐

Not Approved ☐

Recommended ☐

Not Recommended ☐

Tabled ☐

Modified ☐

Next Meeting ☐

City Council Signature _____ Date _____

City of Rio Dell
Year-to-Date Budget Variance Report by Department (CC#3)
June 30, 2014

	Y-T-D Actual	YTD Budget	Budget Variance	YTD Revised Budget	Variance	Percent Variance
061 WATER DEBT SERVICE						
4310 Interest Income	1	0	1	0	1	0
4615 Water - Debt Service	144,920	134,000	10,920	134,000	10,920	(8)
4999 Revenue- Reserves	0	175,350	(175,350)	175,350	(175,350)	100
Total Revenue	144,921	309,350	(164,429)	309,350	(164,429)	53
5112 Legal	2,152	0	(2,152)	0	(2,152)	0
5514 Engineering	0	61,000	61,000	61,000	61,000	100
5610 Bad Debt	1,306	0	(1,306)	0	(1,306)	0
6000 Fixed Asset - Equipment	44	43,080	43,036	43,080	43,036	100
6300 Fixed Asset - Heavy Equipment	0	7,000	7,000	7,000	7,000	100
6400 Fixed Asset - Vehicles	9,046	7,440	(1,606)	7,440	(1,606)	(22)
6500 Infrastructure	33,900	40,400	6,500	40,400	6,500	16
6600 Fixed Asset - Land Improvements	8,939	16,430	7,491	16,430	7,491	46
6700 Fixed Asset- Debt Service	136,000	134,000	(2,000)	134,000	(2,000)	(1)
Total Expenditures	191,387	309,350	117,963	309,350	117,963	38

CITY OF RIO DELL
Year To Date Actual Ledger for Period Ending 6/30/2014

<u>Account</u>	<u>Date</u>	<u>Source</u>	<u>JE Reference</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
5112 14 061 0000 0103 Legal Beginning Balance							0.00
	8/31/2013	A/P	33120	MITCHELL BRISSO DELANEY &VRIEZE PROFESSIONAL SERVICES FOR AUGUST 2013	58.00		58.00
	8/31/2013	A/P	33124	MITCHELL BRISSO DELANEY &VRIEZE PROFESSIONAL SERVICES FOR AUGUST 2013	883.75		941.75
	9/30/2013	A/P	33293	MITCHELL BRISSO DELANEY &VRIEZE PROFESSIONAL SERVICES FOR SEPTEMBER 2013	1,209.75		2,151.50
5112 14 061 0000 0103 Legal Ending Balance					2,151.50	0.00	2,151.50
Report Total					2,151.50	0.00	2,151.50

CITY OF RIO DELL
Year To Date Actual Ledger for Period Ending 6/30/2014

<u>Account</u>	<u>Date</u>	<u>Source</u>	<u>JE Reference</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
6000 14 061 0000 0000				Fixed Asset - Equipment Beginning Balance			0.00
	11/21/2013	A/P	005746	SOUND ADVICE	43.75		43.75
				WALK-THRU AND DIAGNOSE			
				PROBLEM MIC(S) ASSESS SYSTEM			
6000 14 061 0000 0000				Fixed Asset - Equipment Ending Balance	43.75	0.00	43.75
Report Total					43.75	0.00	43.75

CITY OF RIO DELL
Year To Date Actual Ledger for Period Ending 6/30/2014

<u>Account</u>	<u>Date</u>	<u>Source</u>	<u>JE Reference</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
6600 14 061 0000 0182				Fixed Asset - Land Improvements Beginning Balance			0.00
	8/27/2013	G/L	2389	RECLASS REDWOOD EMPIRE ROOFING EXPENDITURES NOT CHARGED TO THE CORRECT PROJECT #0182	7,710.00		7,710.00
	9/12/2013	G/L	2388	RECLASS CALIFORNIA HEATING EXPENDITURES NOT CHARGED TO THE CORRECT PROJECT NUMBER #0182	782.50		8,492.50
	9/17/2013	A/P	MK415292-KFI	NATIONAL BUSINESS FURNITURE CHAIRS FOR COUNCIL OF CHAMBERS	2,890.39		11,382.89
	9/23/2013	A/P	1043	KEMP INSPECTION SERVICE INSPECTION CITY HALL ROOF	50.00		11,432.89
	1/31/2014	G/L	2554	Reclass expenditures charged to the wrong account code. Invoice#Mk415292 to National Business Furniture		2,890.39	8,542.50
	2/28/2014	G/L	2566	Reclass expenditures to match budget distribution percentages for new City Hall roof. Invoice#08232013 to Redwood Empire Roofing	396.50		8,939.00
6600 14 061 0000 0182				Fixed Asset - Land Improvements Ending Balance	11,829.39	2,890.39	8,939.00
Report Total					11,829.39	2,890.39	8,939.00

CITY OF RIO DELL
Year To Date Actual Ledger for Period Ending 6/30/2014

<u>Account</u>	<u>Date</u>	<u>Source</u>	<u>JE Reference</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
6400 14 061 0000 0000				Fixed Asset - Vehicles Beginning Balance			0.00
	10/07/2013	A/P		2013 OCTOBER MAITA NISSAN OF SACRAMENTO	2,822.00		2,822.00
			ER	ADMINISTRATION VEHICLE: NEW			
				2014 NISSAN ALTIMA 2.5 S			
	10/10/2013	A/P	6988614704	MAITA NISSAN OF SACRAMENTO	4,618.00		7,440.00
				BALANCE PAYMENT ON NISSAN			
				ALTIMA			
	2/27/2014	G/L	2556	Reclass expenditures for new GMC	2,525.75		9,965.75
				pickup per council approval on January			
				7, 2014			
	2/28/2014	G/L	2555	Reclass Expenditures to match budget		867.28	9,098.47
				distribution percentages for New			
				Administration Vehicle			
	3/18/2014	C/R	045- 4620289	DMV: Refund for license fees from		52.25	9,046.22
				vehicle purchased from Wendt			
				Construction. City is exempt.			
6400 14 061 0000 0000				Fixed Asset - Vehicles Ending Balance	9,965.75	919.53	9,046.22
Report Total					9,965.75	919.53	9,046.22

*Wrong Fund #061
 move To Fund # 062*

CITY OF RIO DELL
Year To Date Actual Ledger for Period Ending 6/30/2014

<u>Account</u>	<u>Date</u>	<u>Source</u>	<u>JE Reference</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
6500 14 061 0000 0183 Infrastructure				Beginning Balance			0.00
	12/10/2013	A/P	1361	JC CONTRACTING RIVERSIDE DRIVE WATER SERVICE LATERALS: 50% OF CONTRACT PRICE - JOB MATERIALS = 12,400.00; LABOR = 4,550.00	16,950.00		16,950.00
	12/10/2013	A/P	1361	JC CONTRACTING RIVERSIDE DRIVE: INSTALL WATER SERVICE LATERALS- 50% OF CONTRACT PRICE; MATERIALS- 12,400.00, LABOR- 4,550.00	16,950.00		33,900.00
	12/19/2013	A/P	1361	JC CONTRACTING Cancel: RIVERSIDE DRIVE WATER SERVICE LATERALS: 50% OF CONTRACT PRICE - JOB MATERIALS = 12,400.00; LABOR = 4,550.00		16,950.00	16,950.00
	1/14/2014	A/P	1368A	JC CONTRACTING RIVERSIDE WATER SERVICES - REMAINDER OF CONTRACT PRICE	16,950.00		33,900.00
6500 14 061 0000 0183 Infrastructure				Ending Balance	50,850.00	16,950.00	33,900.00
Report Total					50,850.00	16,950.00	33,900.00

CITY OF RIO DELL
Year To Date Actual Ledger for Period Ending 6/30/2014

<u>Account</u>	<u>Date</u>	<u>Source</u>	<u>JE Reference</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
6500 14 061 0000 0184				Infrastructure Beginning Balance			0.00
	12/23/2013	A/P	4722	CAL ELECTRO INC.	4,960.00		4,960.00
				PERFORM WORK ON SEVERAL			
				ITEMS PER PROPOSAL #216, DATED			
	12/23/2013	G/L	2565	11/12/13 FOR PROJECT #0184			
				Reclass expenditures to match budget		360.41	4,599.59
				distribution percentages for new			
				sprinkler system. Invoice#4722 to Cal			
				Electro Inc.			
6500 14 061 0000 0184				Infrastructure Ending Balance	4,960.00	360.41	4,599.59
Report Total					4,960.00	360.41	4,599.59

*Wrong Fund # 061
 move to Fund # 062*

*Rio Dell City hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
riodelcity.com*



August 19, 2014

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager *JK*

SUBJECT: Discussion on North Coast Integrated Regional Water Management Plan (NCIRWMP).

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Discuss parameters on adoption of a resolution in support of NCIRWMP Phase III – potentially to be adopted at the Council's September 2, 2014 meeting.

BACKGROUND AND DISCUSSION

Staff is currently reviewing Phase III of the NCIRWMP which has been requested to be adopted by the Council no later than September 9, 2014. Adoption of this plan is necessary to access future water related grant funding, including funds to complete the intertie project with Scotia.

No action is required at this time.

The NCIRWMP Phase III document can be found here:


http://www.northcoastirwmp.net/Content/10319/North_Coast_Integrated_Regional_Water_Management_Plan.html


675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



For Meeting of: August 19, 2014

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager 

Date: August 14, 2014

Subject: Adoption of Ordinance No. 324-2014 amending Fence Regulations, Section 17.30.090 of the Rio Dell Municipal Code (RDMC)

Recommendation:

That the City Council:

1. Receive staff's report regarding the proposed text amendment; and
2. Re-Open the public hearing, receive public input, and deliberate; and
3. Adopt Ordinance No. 324-2014 amending the Fence Regulations, Section 17.30.090 of the Rio Dell Municipal Code (RDMC) to be consistent with the California Building Code (CBC); and
4. Direct the City Clerk, within 15 days after adoption of the Ordinance, to post an adoption summary of the Ordinance with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance pursuant to Section 36933(a) of the California Government Code.

Background and Discussion

Staff introduced (first reading) Ordinance No. 324-2014 amending the Fence Regulations, Section 17.30.090 of the Rio Dell Municipal Code (RDMC) to be consistent with the California Building Code (CBC) at your meeting of August 5th. The 2013 California Building Code (CBC) was amended to exempt fences up to seven (7) feet in height. The City's current fence

regulations, Section 17.30.090 of the Rio Dell Municipal Code (RDMC) reflect the previous exemption of fences up to six (6) feet in height.

The current fence regulations also refer to the Uniform Building Code (UBC). The Uniform Building Code was replaced by the California Building Code (CBC) in 2000. Staff is accordingly recommending that the fence regulations accurately reflect the California Building Code (CBC).

Zone Reclassification Required Findings:

1. The proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected.

There are no policies in the General Plan which would prohibit amending the fence regulations to be consistent with State law and to accurately reflect the California Building Code (CBC).

2. The proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA).

Based on the nature of the project, staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a *significant* effect on the environment. Where it can be seen with certainty that there is no possibility that the project in question may have a significant effect on the environment, the project is not subject to CEQA. Based on the nature of the proposed amendments staff believes there is no evidence to suggest that the amendments will have a *significant* effect on the environment.

Attachments

Attachment 1: Ordinance No. 324-2014 amending the Fence Regulations to be consistent with the California Building Code (CBC).

Attachment 2: Post Adoption Summary.

ORDINANCE NO. 324 – 2014



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING THE FENCE REGULATIONS,
SECTION 17.30.090 OF THE RIO DELL MUNICIPAL CODE**

THE CITY COUNCIL OF THE CITY OF RIO DELL ORDAINS AS FOLLOWS:

WHEREAS the 2013 California Building Coded (CBC) was amended to exempt fences up to seven (7) feet in height; and

WHEREAS the City's current fence regulations, Section 17.30.090 of the Rio Dell Municipal Code (RDMC) reflect the previous exemption of fences up to six (6) feet in height; and

WHEREAS the current fence regulations also refer to the Uniform Building Code (UBC); and

WHEREAS the Uniform Building Code was replaced by the California Building Code (CBC) in 2000; and

WHEREAS staff is accordingly recommending that the fence regulations accurately reflect the California Building Code (CBC).; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Sections 65350 – 65362 of the California Government Code; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Section 17.35.010 of the City of Rio Dell Municipal Code; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and

WHEREAS the proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rio Dell does hereby ordain as follows:

Section 1.

17.30.090 Fences

(1) Corner Lots -- Sight Distance.

In any residential district on a corner lot, there shall be no fence, wall, or hedge higher than three (3) feet, nor any obstruction to vision other than a post, column, or tree not exceeding one foot in diameter, between a height of three (3) feet and a height of ten (10) feet above the established grade of either street, within an area thirty (30) feet from the intersection of the street lot lines.

(2) Height Regulations.

Any fence or wall used as a fence shall not exceed a height of ~~six (6)~~ seven (7) feet within the required front, side, or rear yard of any lot; provided, however, that in any residential district, a fence or wall used as a fence shall not exceed a height of four (4) feet within a required front yard, nor ~~six (6)~~ seven (7) feet within any required rear yard or side yard, except where otherwise permitted by these regulations.

(3) Exceptions.

The Planning Commission may modify by special use permit, the height requirements of this part, upon a showing of good cause. For any such modification, the Planning Commission shall be required to make the following findings:

- (a) The proposed fence height modification will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;
- (b) The proposed modification will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and
- (c) The proposed modification will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
- (d) In issuing a special use permit, the Planning Commission may require such changes or alterations in the fence as it may deem necessary to satisfy the findings specified in this part. Such changes or alterations may include, but shall not be limited to the following:
 - Fence height
 - Design

- Materials
- Setback from property line
- Screening or landscaping

(1) A fence or wall used as a fence which exceeds ~~six (6)~~ seven (7) feet in height shall be defined as a "detached accessory structure" for the purpose of regulation under the provisions of this ordinance, and all applicable provisions of the ~~Uniform Building Code~~ California Building Code shall apply. [Ord. 167 § 6.05.5 1982.]

Section 2. Severability

If any provision of the ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

Section 3. Limitation of Actions

Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

Section 4. Effective Date

This ordinance becomes effective thirty (30) days after the date of its approval and adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on August 5, 2014 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the August 19, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jack Thompson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 324-2014 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the August 19, 2014.

Karen Dunham, City Clerk, City of Rio Dell

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



Public Notice
City of Rio Dell City Council
SUMMARY FOR POSTING AFTER ADOPTION OF ORDINANCE

(The summary shall be published or posted within 15 calendar days after the adoption of the ordinance)

Summary

On Tuesday, August 19, 2014 at 6:30 p.m., the Rio Dell City Council held a public hearing in the City Council Chamber at City Hall and approved and adopted **Ordinance No. 324-2014** amending the Fence Regulations, Section 17.30.090 of the Rio Dell Municipal Code (RDMC) to be consistent with the California Building Code (CBC). The CBC was recently amended to exempt fences up to seven (7) feet tall from Building Permit requirements. In addition, the current fence regulations also refer to the Uniform Building Code (UBC). The Uniform Building Code was replaced by the California Building Code (CBC) in 2000. The Ordinance also amends the current fence regulations to accurately reflect the California Building Code (CBC).

Section 36933(a) of the California Government Code requires that the City Clerk, to post a summary of the Ordinance within 15 days of adoption with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance. Said Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the August 19, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:


A certified copy of the full text of the Ordinance is posted in the office of the City Clerk at 675 Wildwood Avenue in Rio Dell. General questions regarding the Ordinance and the process should be directed to Kevin Caldwell, Community Development Director, (707) 764-3532.


675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



For Meeting of: August 19, 2014

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager 

Date: August 14, 2014

Subject: Adoption of **Ordinance No. 325-2014** amending Chapter 17.30 of the Rio Dell Municipal Code (RDMC) to renumber the General Provisions and Exceptions to accommodate recent amendments.

Recommendation:

That the City Council:

1. Receive staff's report regarding the proposed text amendment; and
2. Re-Open the public hearing, receive public input, and deliberate; and
3. Adopt Ordinance No. 325-2014 amending Chapter 17.30 of the Rio Dell Municipal Code (RDMC) to renumber the General Provisions and Exceptions to accommodate recent amendments; and
4. Direct the City Clerk, within 15 days after adoption of the Ordinance, to post an adoption summary of the Ordinance with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance pursuant to Section 36933(a) of the California Government Code.

Background and Discussion

Staff introduced (first reading) Ordinance No. 325-2014 amending Chapter 17.30 of the Rio Dell Municipal Code (RDMC) to renumber the General Provisions and Exceptions to accommodate recent amendments at your meeting of August 5th. As reported at the August 5th meeting the

City has added a number of new regulations to Chapter 17.30, General Provisions and Exceptions, to the Rio Dell Municipal Code (RDMC) over the past couple of years. The adoption of the ordinance will reestablish Chapter 17.30, General Provisions and Exceptions in increments of ten.

Zone Reclassification Required Findings:

1. The proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected.

There are no policies in the General Plan which would prohibit amending the General Provisions and Exceptions to reestablish the original intended numerical sequence of the regulations.

2. The proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA).

Based on the nature of the project, staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a *significant* effect on the environment. Where it can be seen with certainty that there is no possibility that the project in question may have a significant effect on the environment, the project is not subject to CEQA. Based on the nature of the proposed amendments, to reestablish the original intended numerical sequence of the regulations, staff believes there is no evidence to suggest that the amendments will have a *significant* effect on the environment.

Attachments

Attachment 1: **Ordinance No. 325-2014** amending Chapter 17.30 of the Rio Dell Municipal Code (RDMC) to renumber the General Provisions and Exceptions to accommodate recent amendments.

Attachment 2: Post Adoption Summary.

ORDINANCE NO. 325 – 2014



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING CHAPTER 17.30 OF THE RIO DELL MUNICIPAL CODE (RDMC) TO
RENUMBER THE GENERAL PROVISIONS AND EXCEPTIONS TO ACCOMMODATE
RECENT AMENDMENTS:**

WHEREAS the City has added a number of new regulations to Chapter 17.30, General Provisions and Exception, to the Rio Dell Municipal Code (RDMC) over the past couple of years; and

WHEREAS the Sections of Chapter 17.30 are in increments of ten, i.e. 17.30.10, 17.30.20, 17.30.30 and so on; and

WHEREAS staff has had to deviate from the sequential order in order to accommodate recently approved new regulations; and

WHEREAS the Planning Commission is now recommending that Chapter 17.30 be reformatted to reestablish the regulations in increments of ten; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Sections 65350 – 65362 of the California Government Code; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Section 17.35.010 of the City of Rio Dell Municipal Code; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and

WHEREAS the proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rio Dell finds that:

1. The proposed amendments are consistent with the General Plan and any applicable specific plan; and

2. The proposed amendments are Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rio Dell does hereby ordain as follows:

Section 1.

Chapter 17.30 General Provisions and Exceptions

Existing Section	New Section	Provision
17.30.010	17.30.010	Applicability
17.30.020	17.30.020	Accessory Uses and Buildings
17.30.030	17.30.030	Adult entertainment.
17.30.040	17.30.040	Airports
17.30.050	17.30.050	Animals and Animal Shelters.
17.30.060	17.30.060	Assemblages of Persons and Vehicles
17.30.070	17.30.070	Camping
17.30.075	17.30.080	Cottage Industry
17.30.073	17.30.090	Density Bonus
17.30.078	17.30.100	Emergency Shelters/Transitional Housing
17.30.080	17.30.110	Environmentally Sensitive Habitat Areas
17.30.090	17.30.120	Fences
17.30.100	17.30.130	Flag Lot Regulations
17.30.110	17.30.140	Flood Zone Regulations
17.30.120	17.30.150	Home Occupation Businesses and Address of Convenience
17.30.130	17.30.160	Lot Size Modifications
17.30.140	17.30.170	Manufactured/mobile homes on individual lots.

Existing Section	Proposed Section	Provision
17.30.150	17.30.180	Manufactured/mobile home park development standards.
17.30.155	17.30.190	Medical Marijuana Regulations
17.30.160	17.30.200	Nonconforming Uses
17.30.170	17.30.210	Outdoor Advertising
17.30.180	17.30.220	Parking and Loading facilities.
17.30.190	17.30.230	Parkland Dedication
17.30.200	17.30.240	Public Uses.
17.30.210	17.30.250	Public Utility Buildings and Uses.
17.30.220	17.30.260	Quasi-Public Uses.
17.30.230	17.30.270	Recreational Vehicle Park Development Standards.
17.30.240	17.30.280	Removal of Natural Materials.
17.30.250	17.30.290	Second Dwelling Units.
17.30.260	17.30.300	Signs and Nameplates.
17.30.270	17.30.310	Street Dedication and Improvement.
17.30.280	17.30.320	Swimming Pools.
17.30.290	17.30.330	Tract Offices.
17.30.300	17.30.340	Yards.

Section 2. Severability

If any provision of the ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

Section 3. Limitation of Actions

Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

Section 4. Effective Date

This ordinance becomes effective thirty (30) days after the date of its approval and adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on August 5, 2014 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the August 19, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jack Thompson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 325-2014 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the August 19, 2014.

Karen Dunham, City Clerk, City of Rio Dell

**675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532**



**Public Notice
City of Rio Dell City Council
SUMMARY FOR POSTING AFTER ADOPTION OF ORDINANCE**

(The summary shall be published or posted within 15 calendar days after the adoption of the ordinance)

Summary

On **Tuesday, August 19, 2014 at 6:30 p.m.**, the Rio Dell City Council held a public hearing in the City Council Chamber at City Hall and approved and adopted **Ordinance No. 325-2014** amending Chapter 17.30 of the Rio Dell Municipal Code (RDMC) to renumber the General Provisions and Exceptions regulations to accommodate recent amendments in increments of ten.

Section 36933(a) of the California Government Code requires that the City Clerk, to post a summary of the Ordinance within 15 days of adoption with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance. Said Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the August 19, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

A certified copy of the full text of the Ordinance is posted in the office of the City Clerk at 675 Wildwood Avenue in Rio Dell. General questions regarding the Ordinance and the process should be directed to Kevin Caldwell, Community Development Director, (707) 764-3532.

CITY OF RIO DELL CHECK REGISTER

General Checking - US Bank of California

Check	Date	Vendor	Description	Check / Payment
0002934	7/01/2014	[2757] US POSTMASTER	POSTAGE FOR JUNE 2014 FOR UTILITY BILLING	348.61
0002935	7/03/2014	[2366] EEL RIVER DISPOSAL INC	GARBAGE BAGS FOR JUNE 2014	616.35
0002936	7/09/2014	[4109] ACCESS HUMBOLDT	LFA'S PER AGREEMENT OF JUNE 1, 2008 - 2ND QTR	270.00
0002937	7/09/2014	[4295] AMBROSINI & SONS ELECTRIC, INC	INSTALLED (3) 110 CFM FANS, ADD (3) OCCUPANCY	2,418.60
0002938	7/09/2014	[3975] AT&T - 5709	PHONE EXPENSES FOR JUNE 2014	463.28
0002939	7/09/2014	[2261] CALIFORNIA STATE DISB UNIT	GARNISHMENT CASE #200000001183524 FOR PPE	81.69
0002940	7/09/2014	[2285] CC MARKET (1)	6/2 BIRTHDAY CAKE FOR THE MONTH OF JUNE	30.00
0002941	7/09/2014	[2303] COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 6/27/2014	120.00
0002942	7/09/2014	[3148] COUNTY OF HUMBOLDT	MAP BOOKS 52 & 53	11.00
0002943	7/09/2014	[4773] CPS HUMAN RESOURCE SERVICES	T.C.S. CONSULTING FEES	7,550.00
0002944	7/09/2014	[5612] DAVCO	INSPECTION AT 158 BIRCH STREET FOR DIANE BROW	150.00
0002945	7/09/2014	[2411] DEARBORN NATIONAL LIFE INSURANCE COMPANY	LIFE INSURANCE FOR JULY 2014	248.00
0002946	7/09/2014	[4382] DOCUSTATION	MONTHLY MAINTENANCE AND COPY CHARGES FOR JUNE	2,072.98
0002947	7/09/2014	[5177] AUSTIN H EVANS	CLOTHING ALLOWANCE - BOOTS	191.33
0002948	7/09/2014	[2501] HAJOCA CORPORATION	TWO AYM 74753-1 1"; FOUR AYM 74753-3H 3/4" PIPE FOR SIGN POST	861.91
0002949	7/09/2014	[2474] HUMMEL TIRE & WHEEL, INC	TIRES FOR 93 GMC SONOMA TRUCK	493.38
0002950	7/09/2014	[5613] KELLY-O'HERN ASSOCIATES	CITY HALL TOPOGRAPHIC SURVEY PROPOSAL PAINTER STREET FIELD SURVEY, CALCULATIONS, RE	3,595.00
0002951	7/09/2014	[4502] MATSON & VALLERGA ARCHITECTS, INC	MASTER PLANNING STUDY .CITY HALL AND POLICE	600.00
0002952	7/09/2014	[2410] NORTH COAST CLEANING SERVICES, INC.	MONTHLY CLEANING SERVICE FOR JUNE 2014	471.00
0002953	7/09/2014	[2569] NORTH COAST LABORATORIES, INC.	COLIFORM QUANTI-TRAY	190.00
0002954	7/09/2014	[4393] NYLEX.NET	TESTING - AMMONIA NITROGEN WITHOUT DISTILLATI	450.00
0002955	7/09/2014	[4548] PAPE MACHINERY EXCHANGE	MONTHLY MAINTENANCE FOR JULY 1 THROUGH JULY	376.78
0002956	7/09/2014	[3029] REDWOOD COFFEE SERVICE	EQUIPMENT PARTS	63.00
0002957	7/09/2014	[2657] RIO DELL EMPLOYEES ASSOC	COFFEE	84.00
0002958	7/09/2014	[2659] RIO DELL PETTY CASH	DUES FOR QUARTER ENDING 6/30/2014	25.47
0002959	7/09/2014	[5609] JULIE A. SCHMELZER	CAR WASH FOR CITY CAR, TYLENOL, POSTAGE-Tim M	641.34
0002960	7/09/2014	[2742] SCOTIA TRUE VALUE HARDWARE	REIMBURSEMENT FOR TRAVEL EXPENSES TO INTERVIEW	7.48
0002961	7/09/2014	[4525] SHERLOCK RECORDS MGMT	3/4" 90 DEGREE ELBOW	89.20
0002962	7/09/2014	[2710] STARPAGE	6 - 3/4" WHITE T CAPS	88.85
0002963	7/09/2014	[4662] JAMES R STRETCH	STORAGE SERVICE AND BOX RETRIEVAL FOR JUNE 20	20.55
			NEW PAGER & PAGING AIRTIME	
			REIMBURSEMENT FOR CITY CAR WASH AND FUEL	

CITY OF RIO DELL CHECK REGISTER

General Checking - US Bank of California

Check	Date	Vendor	Description	Check / Payment
0002964	7/09/2014	[2319] SUDDENLINK COMMUNICATIONS	MONTHLY BROADBAND SERVICES FOR JULY 2014	243.37
0002965	7/09/2014	[2750] USA BLUEBOOK	SOLINS 102 WATER LEVEL METER, FIRE HOSE STRAPPING CART, BLACK POLYPROPYLENE STRAPPING	1,548.22
0002966	7/09/2014	[2481] VANTAGEPOINT TRANSFER AGENTS-304361	RETIREMENT FOR PPE 8/27/2014	4,822.61
0002967	7/09/2014	[5166] VSP-VISION SERVICE PLAN	VISION INSURANCE FOR JULY 2014	464.81
0002968	7/09/2014	[2770] WATER ENVIRONMENT FEDERATION	WEF MEMBERSHIP	249.00
0002969	7/09/2014	[5569] BROOKE D E WOODCOX	REIMBURSEMENT FOR LODGING & MILEAGE TO ATTEND	294.80
0002970	7/09/2014	[2792] ZUMAR INDUSTRIES, INC.	ALUM FOR STREET SIGNS	383.66
0002971	7/16/2014	[0576] 101 AUTO PARTS	1 PTO PIN, 80 PACK TERRY RAGS AIR FILTER	155.41
			1 EASY OUT FUEL FILTER	
			T-WAX F21 CAR WASH	
			1 4" RATCHET, SOCKET	
0002972	7/16/2014	[3108] ACCUFUND, INC.	DISCUSS NEW SEWER CODE, CHANGES TO WATER CODE	175.00
0002973	7/16/2014	[5443] AIRGAS USA, LLC	CYLINDER RENTAL	20.84
0002974	7/16/2014	[2247] ANTHEM BLUE CROSS	HEALTH INSURANCE FOR AUGUST	18,660.00
0002975	7/16/2014	[2237] BANK OF AMERICA BUSINESS CARD	PAYPAL: LAW TECH PUBLISHING 2014 FISH & GAME NORMAC, INC. - GATEWAY SPRINKLERS USPS-EVERY DOOR DIRECT MAILING OF SUMMER NEWS	866.42
0002976	7/16/2014	[2293] CITY OF FORTUNA	LAB TESTING SERVICES FOR APRIL THROUGH JUNE 2	3,512.00
0002977	7/16/2014	[2283] COASTAL BUSINESS SYSTEMS	POLICE DISPATCH SERVICES FOR JULY 2014 DOCSTAR ANNUAL SOFTWARE LICENSE AGREEMENT EFF	269.25
0002978	7/16/2014	[5127] DELTA DENTAL	DENTAL INSURANCE FOR AUGUST 2014	2,406.92
0002979	7/16/2014	[2383] EUREKA OXYGEN CO., INC	REFILL NITROGEN 230 NONFLAMMABLE GAS	77.41
0002980	7/16/2014	[2385] EUREKA READYMIX	3.35 TONS CRUSHED ROCK 3.45 TONS CRUSHED ROCK 3.21 TONS SAND 3.81 TONS SAND 2.77 TONS 3/4" BASE ROCK 2.74 TONS 3/4" BASE ROCK	267.61
0002981	7/16/2014	[5241] GE CAPITAL	XEROX COPIER PAYMENT FOR JULY 2014	475.49
0002982	7/16/2014	[0000] GHD, INC	PROFESSIONAL SERVICES FOR SCOTIA INTERTIE GRA PROFESSIONAL SERVICES FOR WATER CIP UPDATE PROFESSIONAL SERVICES FOR TAC MEETINGS AND TR	2,421.25

CITY OF RIO DELL CHECK REGISTER

General Checking - US Bank of California

Check	Date	Vendor	Description	Check / Payment
0002983	7/16/2014	[5446] JOHNSON, GORDON	REIMBURSEMENT FOR LODGING TO ATTEND LEAGUE OF	89.77
0002984	7/16/2014	[4908] MITCHELL BRISSO DELANEY & VRIEZE	PROFESSIONAL SERVICES FOR JUNE 2014	5,672.82
0002985	7/16/2014	[2570] NILSEN COMPANY	PROFESSIONAL SERVICES FOR JUNE 2014	
0002986	7/16/2014	[4393] NYLEX.NET	PROFESSIONAL SERVICES FOR JUNE 2014	
0002987	7/16/2014	[3878] OLIN CORP - CHLOR ALKALI	PROFESSIONAL SERVICES FOR JUNE 2014	69.64
0002988	7/16/2014	[2603] PG&E	PROFESSIONAL SERVICES FOR JUNE 2014	900.00
0002989	7/16/2014	[3343] PITNEY BOWES RESERVE ACCOUNT	BUSHES IN FRONT OF CITY HALL	
0002990	7/16/2014	[4338] QUILL CORPORATION	MONTHLY MAINTENANCE FOR JULY 2014 THROUGH AUG	
0002991	7/16/2014	[3029] REDWOOD COFFEE SERVICE	105004 SODIUM HYPOCHLORITE	754.64
0002992	7/16/2014	[4643] SCOTIA PRINTING	UTILITY EXPENSES FOR PART OF JULY 2014	19,867.22
0002993	7/16/2014	[2742] SCOTIA TRUE VALUE HARDWARE	UTILITY EXPENSES FOR JUNE 2014	
0002994	7/16/2014	[2694] SHELL OIL CO.	POSTAGE PURCHASE FOR RESERVE LETTER SIZE FILE FOLDERS AND PUSH PINS	400.00
0002995	7/16/2014	[2682] SMALL CITIES ORGANIZED RISK EFFORT (SCORE)	1 BOX LEGAL FLAT FILE JACKETS	164.16
0002996	7/16/2014	[5294] DANIEL J SMITH	2 PACKS ADDING MACHINE ROLLS	
0002997	7/16/2014	[2319] SUDDENLINK COMMUNICATIONS	1 BOX LEGAL FASTENER FOLDERS	63.00
0002998	7/16/2014	[2773] WCP SOLUTIONS	1 PACK SMALL POST-IT FLAGS	228.44
0002999	7/25/2014	[2102] JOHN D BEAUCHAINE	COFFEE	31.27
0003000	7/25/2014	[4937] CALIFORNIA DEPARTMENT OF TRANSPORTATION	WATER CURTALMENT DOOR HANGERS	
0003001	7/25/2014	[2261] CALIFORNIA STATE DISB UNIT	2 GAL BACKREL SPRAYER	
0003002	7/25/2014	[2285] CC MARKET (1)	2 - 3/4 BLK PIPE CAPS	
0003003	7/25/2014	[2103] JOHN R CHICORA JR	2 - 15 OZ GRAY PRIMER SPRAY PAINT	3,403.92
			PW FUEL EXPENSES FOR JUNE 2014	
			PD FUEL EXPENSES FOR JUNE 2014	
			CITY CAR FUEL EXPENSES FOR JUNE 2014	
			PD FUEL EXPENSES FOR JULY 2014	
			PW FUEL EXPENSES FOR JULY 2014	
			ANNUAL PREMIUM FOR LIABILITY COVERAGE, EPLI C	89,528.00
			SPORT & CYCLE: CLOTHING ALLOWANCE -BOOTS AND	318.18
			INTERNET SERVICE FROM 7/10/14 TO 8/9/2014	
			ANNUAL PAPER SUPPLY	134.95
			ANTHEM BLUE CROSS REBATE	1,507.37
			SIGNALS & LIGHTING FOR APRIL 2014 THROUGH JUN	4.41
			GARNISHMENT CASE #200000001183524 FOR PPE 7/1	1,045.60
			LAUNDRY SOAP FOR WASHING MACHINE AT PLANT	81.69
			ANTHEM BLUE CROSS REBATE	11.81
				8.66

CITY OF RIO DELL CHECK REGISTER

General Checking - US Bank of California

Check	Date	Vendor	Description	Check / Payment
0003004	7/25/2014	[2293] CITY OF FORTUNA	INSPECTION SERVICES FOR 4/1/14 THROUGH 6/30/2	2,971.90
0003005	7/25/2014	[2303] COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 7/1/14 THROUGH 7/15/2	120.00
0003006	7/25/2014	[2105] KAREN L DUNHAM	ANthem BLUE CROSS REBATE	8.23
0003007	7/25/2014	[2372] ENES CONSTRUCTION	DUMP TRUCK RENTAL	550.00
0003008	7/25/2014	[2393] FASTENAL COMPANY	MISC HARDWARE	25.33
0003009	7/25/2014	[1303] KEVIN HARRALSON	ANthem BLUE CROSS REBATE	4.41
0003010	7/25/2014	[2110] GRAHAM G HILL	ANthem BLUE CROSS REBATE	8.66
0003011	7/25/2014	[5622] JC AUTO, INC.	RADIATOR REPAIR FOR 2007 FORD CROWN	506.04
0003012	7/25/2014	[4724] DAVID G LUNGI JR	VICTORIA	
0003013	7/25/2014	[2569] NORTH COAST LABORATORIES, INC.	ANthem BLUE CROSS REBATE	8.66
0003014	7/25/2014	[3343] PITNEY BOWES RESERVE ACCOUNT	COLIFORM QUANTI-TRAY	35.00
0003015	7/25/2014	[4338] QUILL CORPORATION	POSTAGE PURCHASE FOR RESERVE	400.00
0003016	7/25/2014	[4643] SCOTIA PRINTING	OPTIMA GRIP STAPLER, 1 PACK POST-IT SUPER STI	46.20
0003017	7/25/2014	[2742] SCOTIA TRUE VALUE HARDWARE	50 - TWO PART NUMBERED RECEIPT BOOKS	346.15
			DELTA NEW SEAT/SPR KIT	42.72
			2"x1 1/2 SXT PVC BUSHING, 2" MALE ADAPTER, 2	
			RETURN 2X1 1/2 COUPLING, 2 - 1" GALV INSERT C	
			DELTA H/C LAV STEM	
			13 FT 8 X 100 POLY TUBE	
0003018	7/25/2014	[2709] STAPLES DEPT. 00-04079109	1 BOX COLORED POCKET STYLE CLASSIFICATION	76.64
			FOL	
0003019	7/25/2014	[2481] VANTAGEPOINT TRANSFER AGENTS-304361	RETIREMENT FOR PPE 7/1/14	4,835.55
0003020	7/25/2014	[5569] BROOKE D E WOODCOX	ANthem BLUE CROSS REBATE	2.16
0003021	7/25/2014	[4310] CAMERON D YAPLE	ANthem BLUE CROSS REBATE	4.27
Total Checks/Deposits				194,221.34